

A KALENDER, OR TABLE, COMPREHENding the effect of all the Statutes that haue beene made and put in print, beginning with Magna *Charta, enacted Anno 9. H. 3. and proceeding one by one, vntill* the end of the Seſsion of Parliament holden Anno 4. R. IACOBI: declaring by certaine Characters, which of the ſame Statutes or Braunches of *Statutes, be repealed, which be expired, which be altered in the whole, or part,* which be worne out of vſe, which were ordained for particuler perſons, or places, and which being generall, in force, and vſe, are inſerted in the ſeuerall Titles of this Abridgement.

Whereunto is annexed an Abridgement of all the Statutes, whereof the whole or any part is generall, in force, and vſe, with certaine Quæres, Cautions, and Aduertiſements of ſuch things that be doubtfull, together with the Authoritie and Duetie of Iuſtices, Sherifes, Coroners, Eſcheators, *Maiors, Bailifes, Cuſtomers, Stewards of Leets and Liberties, and what things* by ſeuerall Statutes in force they muſt, may, ought, or are compellable to doe.

Editum per mandatum Domini Regis.

Collected by FARDINANDO PVLTON of *Lincolns Inne eſquire, and by him againe aug-*mented, ſithence the Seſſion of Parliament holden *Anno quarto Regis Iacobi.*

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Cum Priuilegio.

TO THE CHRISTIAN

Reader, FARDINANDO PVLTON *of Lincolnes Inne, wiſheth the knowledge* of the Lawes of God, and this Realme, and *the true vſe thereof.*

WHen Almightie God had with diuers miraculous Plagues puniſhed the land of Ægypt, for his people of Iſraels ſake, carried them through the red Sea, drowned therein King *Pharaoth*, and his Hoaſt, ſweetned their bitter Waters for them to drinke, ſent them foode from Heauen, and brought them by a cloudie Pillar in the day, and a fierie Pillar in the night, vntill they came to mount *Sinai*; He then gaue them diuers Commaundements, and made vnto them many Lawes and Statutes, concerning due honour to be done vnto him, touching their dutie to their Princes, Magiſtrates, and Leuites, to their Parents, Neighbours, and Strangers, concerning the direction, order, and guiding of their wiues, children, ſeruants, lands, goods, and other things neceſſarie for the vſe of man: And then moſt ſtrictly charged them, that the ſame Commaundements ſhould bee in their hearts, that they ſhould ſhew them vnto their Children, that they ſhould talke of them when they were at home in their houſes, and as they walke by the way, when they lye downe, and when they riſe vp, that they ſhould bind them for a ſigne vpon their hands, that they ſhould be Frontlets betwixt their eyes, that they ſhould write them vpon the poſtes of their houſes, and vpon their gates: And moreouer, when they came into the land of Promiſe, that they ſhould ſet vp great ſtones in Mount Ebaſil, plaſter them with

Exod. 7. &c.

Deut. 11.

Deut. 27.

with Plaſter, and write vpon them all the words of thoſe Lawes:
Ioſh. 8. Which Commaundement *Ioſhua* the ſeruant of God, did after faithfully performe. Euen ſo, when thoſe godly Princes *Cadwallader*, *Egbert*, *Etheldred*, *Alured*, *Adelſton*, *Edgar*, *Canutus*, *Edward*, and other renowned Kings of this Realme had by their deep wiſedomes, and valiant prowes, ſubdued their forraine enemies, and vnited ſeauen ſeuerall Principalities, and Regall Eſtates into this one mightie and noble Kingdome, and had learned, and receiued ſuch Cuſtomes, Maximes, and Lawes of the Brittons, Romans, Saxons, and other Nations, as ſeemed agreeable to the Ordinances of Gods Church, correſpondent to reaſon, and conſonant to the inclination of their people; There was deuiſed a moſt high, ſtately, and honourable Court, to rule and gouerne this Kingdome, and in Magnificence reſembling the ſame, conſiſting in a ſort of the three moſt auncient and notable formes of gouernment that euer were in the world, *viz.* *Monarchia*, *Ariſtocratia*, and *Democratia*; vnto which Court there are to aſſemble the King, the Lords Spirituall and Temporall, and certaine of the moſt diſcreet and meet men, choſen out of all Counties, Cities, and auncient Boroughes of this Realme, to handle, and haue conference together, touching the vrgent and great cauſes of the King, the State, and defence of the Church and Kingdome. According to which inſtitution, the Kings of this Realme haue ſithence that time not onely holden their high Courts of Parliament, and therein by the conſent of their Lords, and Commons, haue enacted ſome Lawes and Statutes, touching the weightie affaires of the Church, and Realme, ſome to reforme imperfections in the Common Lawes, ſome to examine Iudgements giuen in inferiour Courts, and others to repeal, alter, or change former Cuſtomes, Lawes, or Statutes: But alſo they haue been vigilant that thoſe Statutes which were newly ordained, ſhould be in ſuch ſort publiſhed, ſpread abroad, and made knowne, that each perſon bound to obey them, might take knowledge of that, whereby he was to liue, to receiue benefit, or to ſuſtaine loſſe (alwaies intending that thoſe Lawes which the finger of God hath written in the heart of man, or Nature infuſed into him vpon his creation, or Reaſon inſtilled into his breaſt, or which the foreſaid auntient Maximes, and Cuſtomes of the Realme, being the verie fountaine, life, and root of our Common Lawes, haue by tradition made plaine, and laid open vnto vs, are not to any Engliſh man, hauing the vſe of *Synderiſis* vnknowne.) And therefore they haue ordained, that their Iuſtices of *Oyer and Determiner*, their Iuſtices of Aſſiſe at their generall Aſſiſes, their Iuſtices of Peace at their Quarter Seſſions,

ſions, the Shirifes in their Turnes, the Stewards of Leets and Liberties in their Courts, ſhould openly expound what Lawes and Statutes haue been made for the puniſhment of ſeuerall offences, and alſo ſhould inflict the penalties of them vpon the tranſgreſſors thereof, that the puniſhment of ſome might be a learning to others, to know the ſaid Lawes, and a warning to them to eſchew the daunger thereof. And further, they haue prouided, that certaine ſpeciall Statutes which be moſt populer, and into the perill whereof the ignorant people are moſt likely to ſlide, ſhould be openly read in the foreſaid Courts, that the hearers thereof ſhould informe themſelues, and alſo inſtruct their Neighbours at home of thoſe Penall Lawes, and of the forfeitures thereof. And for that cauſe King *Edward* the firſt eſtabliſhed by Par- 25. Ed. 1 3.
liament, That the Statute of *Magna Charta*, and *Charta Foreſtæ*, ſhould bee openly read in Churches. King *Richard* the ſecond enacted, 7. R. 2. 6.
That the Statute of Wincheſter ſhould be proclaimed by euery Shirife in his proper perſon foure times in the yeare in euery Hundred 33. H. 8. 9.
within his Countie, and by his Bailifes in euery Market. King *Henrie* the eight ordained, That the Statute made for the maintenance of Artillerie, and debarring of vnlawfull Games, ſhould be proclaimed euery quarter once, by all Maiors, Bailifes, Shirifes, and other Officers: And that Iuſtices of Gaole deliuerie, Iuſtices of Aſsiſe, and Iuſtices of Peace, ſhould cauſe the ſame to be proclaimed in the Seſſions holden before them. So that in the place of Prayer, in the place of Iuſtice, and in the place of ſeeking our priuate commoditie, our Princes haue deuiſed to ſound into our eares, and to imprint into our memorie, the effect of the foreſaid Lawes, with the fruits that be promiſed to the obſeruers, and the puniſhments which be threatned to the infringers thereof. And ſome whiles, finding time to worke forgetfulneſſe, or their lenitie to encourage ſlackneſſe in their Subiects of due obſeruance of ſome ſpeciall Statutes, with a fatherly care, they do by Commiſſion, Proclamation, or ſome other meanes gently put them in remembrance thereof; requeſting, perſwading, and as it were vpon their bleſſing charging them, to play the parts of good Children, and dutifully to obey thoſe Ordinances, which were decreed by their owne, or their Auncеſtors conſent. Beſides this, they haue cauſed to be Printed the foreſaid Statutes, with their Preambles, declaring the ſpeciall conſiderations of the making of a new, abrogating, altering, or reforming of an old Law. So that our Princes haue vſed thoſe Lawes, which ſeemed to them to be correſpondent to the Ordinances of God, conſonant to reaſon, and agreeable to the preſent inclination of their Subiects: they haue endeuoured to publiſh them

further then writing in ſtone can doe; to the intent that ignorance of them might not excuſe offendors, nor want of notice lead awrie ſuch as are willing to liue in order. But becauſe the Gouernours of this State being from time to time, carefull to prouide ſuch Lawes as they accompted moſt commodious for the Weale publique, haue been inforced to trie manie, to continue diuers, to alter and reforme ſome, according to the diſpoſition of the People, the fertilitie or barrenneſſe of the Land, the quietneſſe of the Gouernement, the Friendſhip of the Regions adioyning, and other accidents and circumſtances, whereunto our humane Nature is ſubiect; by that neceſſarie meanes our Statute Lawes are growne to bee many, ſome much differing, and ſome meere contrarie, and repugnant to others. For ſithence the time of King *Henrie* the the third (in the ninth yeare of whoſe Raigne *Magna Charta*, the firſt Statute that wee haue in Print was made) there haue been a great number of Statutes enacted, whereof ſome were ordained to be in force for one Kings time, ſome for an other, ſome for one number of yeares, ſome for an other, ſome were repealed in part, and confirmed in part, ſome were repealed by generall, and ſome by ſpeciall words (as by three Braunches of three ſpeciall Statutes, there be at the leaſt one hundred and twentie other Statutes, and Braunches of Statutes repealed.) So that time hath wrought triall, much triall hath procured a number, a number prouided at ſeuerall times, by ſeuerall perſons, and to ſeuerall endes, hath brought in queſtion, which of thoſe Statutes bee in force, and which not: And thereby imprinteth feare to many willing mindes to read, and diſcouragement to vnderſtand thoſe Lawes, which otherwiſe they would in their knowledge imbrace, and in their deedes obey. And thereupon conſidering with my ſelfe how carefull our Gouernours haue been in all ages, to prouide good Lawes, how mindfull to publiſh them, and how deſirous they ſhould bee obſerued; And againe, calling to remembrance how ioyfull euerie well aduiſed Subiect is of good Lawes, how readie to learne them, and how obedient to execute them; And that the Princes and the Subiectes doing their partes, Time onely the beginner, increaſer, and ſubuerter of humane Policies, hath wrought ſome defects, and procured ſome doubtes and difficulties in the Lawes: Therefore I haue vndertaken to comprehend in a Table, the effect of all the Statutes in Print, beginning with *Magna Charta*, and proceeding *ſeriatim*, vntill the ende of the third Seſſion of Parliament, holden in the fourth yeare of the Raigne of our Soueraigne Lord King

1. H 4. 3.
5. Ed. 6 6.
5. Eliz. 4.

King *Iames*, and to declare by certaine Characters, which of the ſame Statutes, or Braunches of Statutes be repealed, which be expired, which be altered in the whole, or part, which be worne out of vſe, which were ordayned for particular perſons, or places, and which be generall in force and vſe, leauing ſome fewe doubtfull, to be further conſidered of. Whereunto I haue in this volume annexed an Abridgement of all the Statutes, whereof I take the whole, or any part to be generall in force and vſe. Which worke I haue endeuored to performe to two ſpeciall purpoſes, the one, *videlicet*, the later, to the intent that you (Good Reader) may with ſome facilitie finde thoſe Statutes and Braunches of Statutes which be in force, and receiued as Law at this day, and diſcerne them from ſuch other, which be repealed, expired, altered, or worne out of vſe: the other, *videlicet*, the former part, to the end you may perſpicuouſly ſee, and as it were in a Glaſſe behold the Pietie, Vertue, Wiſedome, and Policie of the chiefe Gouernours of this Kingdome from time to time in matters of greateſt moment, almoſt by the ſpace of foure hundred yeares. And yet ſeeing there haue been in euery age ſo many Demurrers, Diſputations, and Queſtions betweene the reuerend Iudges, and the learned Lawyers of this Realme, touching the beginning, continuance, or ending of ſome Statutes, concerning the Tranſlation, Expoſition, or meaning of ſome others, which doth argue, many imperfections to be in our Statutes, or ſeuerall mens different and vnperfect conceits and opinions of them: Thereof I will intreat you (Good Reader) not to expect an abſolute and perfect worke to be framed of ſuch an vnperfect Subiect, and eſpecially by an vnperfect man. Wee muſt confeſſe it to be true which the great Orator *Marcus Tullius Cicero* writeth, That Hyſtorie is the witneſſe of Time, the light of Truth, The Store-houſe of Memorie, the Miſtreſſe of life, and Meſſenger of Antiquitie: and in ſome ſort, wee finde it to be true by our owne Chronicles. But yet wee haue no reaſon to make that reckoning, or to beſtowe ſo much time in reading and peruſing of our Hyſtories (doe they promiſe, or repreſent vnto vs the ſhew of neuer ſo much trueth) as wee haue of our Statutes, eyther for the multitude or credite of the deuiſors of them, or for the weight of the cauſes by them decided, or for the certainetie of the Lawes in them recorded. Our Hyſtories doe report vnto vs the birth of our Princes, their Marriages, their children, their ſucceſſe in times of Peace and Warre, their Conqueſts they woon, the Incounters they receiued, their Seditions and Tumults at home by Competitors or Rebels, their Treatiſes and Leagues

Hyſtories.

Leagues abroad with forraine Kings and States, their priuat vertues and imperfections, their deaths, and Succeſſors, the Plentie and Scarcitie, the Plagues, Inundations, Earthquakes, and other rare Accidents, which fell and chaunced in their times. So that our Hiſtoriographers haue entreated principally of the quiet or turbulent liues, and certaine deaths of our former Kings, chiefe Gouernours, and principall Peeres; of their proſperities and aduerſities, of the beginning, increaſe, and ruine of their houſes, remembring vnto vs, where Fortune ſmiled, and where ſhee frowned vpon them, their Seede, or People; being things whereunto all fleſh and bloud is ſubiect, and in a ſort to be reſembled in euery Familie: But our Statute Lawes haue mounted a loft, and ſoared in a higher pitch: For by them hath been ſet forth the glorie of God, and the maintenance of his holy & Catholike Church: By them the Subiects of this Realme haue attributed to their Kings and Soueraigne Lords all due obedience, Honours, and Prerogatiues, and haue both in times of Peace and Warre taken order to ſupport their Eſtates, and to aſſiſt them with their bodies, lands, and goods: By them the Kings haue giuen correſpondent protection to their Subiects from forraine enemies, and inteſtine oppreſſions: By them euery Subiect enioyeth his owne, and one is defended from the ſword and iniurie of another: By them *Lex Talionis* is maintained with Straungers, and a reciprocal courſe of Traffique continued with other Nations: And by them our Sages haue endeauoured to vphold and aduance Charitie, Prudence, Iuſtice, Fortitude, Temperance, Patience, Chaſtitie, and other vertues: and to repreſſe or weaken Pride, Malice, Reuenge, Rapine, Extortion, Periurie, Forgerie, Drunkenneſſe, Aduoutrie, Couetouſneſſe, and other Maladies in the Commonwealth. And whoſoeuer will peruſe our Chronicles from the ninth yeare of King *Henry* the third to this time, may eaſily perceiue, that the Barons Warres, the Diſſention betweene the Houſes of Yorke and Lancaſter, the quarrel betweene King *Richard* the third, and King *Henry* the ſeuenth, the battailes and skirmiſhes fought by our Engliſh people in Fraunce, Spaine, and Scotland, the violent, vntimely, and Tragicall deaths of King *Edward* the ſecond, King *Richard* the ſecond, King *Henry* the ſixt, King *Edward* the fift, and King *Richard* the third, and the manifold Tumults, Seditions, & Rebellions at home were the cauſe of many dolefull and lamentable Innouations, Calamities, and Miſeries: and that al the families in this land, from the Kings Pallace to the pooreſt Cottage, did at one time or other taſt the woe and ſmart thereof. But if he wil alſo read our Statuts made ſithence the ſaid ninth yeare of King *Henry* the third, and conſider of the cauſes, purports, effects,

fects, and ſequels of them, hee may eaſily perceiue, that ſome of thoſe haue wrought greater alterations within this Kingdome in cauſes of moſt weighty importance, and fixed a deeper and more durable impreſſion into the hearts and eſtates of men, then all the ſaid warres, deaths, and tumults haue done. For neither did *Alexander* the Great with his mighty Armie, nor *Iulius Cæſar* with all his forces win the victorie of ſo many bodies, as certaine of our Statute Lawes haue wrought immutation, and conqueſt of wils. Yea, if a large Paraphraſis might bee made without offence of ſome of our Statutes, and of the true cauſes, puruiewes and operations of them, many would bee as ready to admire them for wonders, as to reuerence or obey them for Lawes. But he that will turne the leafe on the other ſide, and reſpect ſome other Statutes, and the ſucceſſe and effect of them, ſhall find the caſe farre otherwiſe, yea meere repugnant, and cleare contrary: for whereas in all the Parliaments that haue been holden ſince the laſt Conqueſt, the whole Senate houſe haue beſtowed at the leaſt halfe their time and induſtrie, in hacking at part of the Branches, Boughes, Sprouts, Rootes, or Leaues of that monſtrous, vgly, and hideous Tree, *Auaricia*; Time and Experience hath taught vs, *Quod operam & oleum perdiderunt*; for if ſome Bough or Braunch of hers hath beene ſhred or ſnibbed by one Law at one time, it hath againe more largely ſprouted out, and doubled her *Hydra's* head in another forme and different ſhape, at another time. Our Law-makers haue oft times made grieuous complaint in open Parliament of ſeuerall Braunches or Buddes of the ſame Tree, and amongſt many other, ſpecially of one: That ſhee hath beene the decay of Temples, the withdrawer of Gods Seruice, the riune of Cities, the deſolation of Townes, the nouriſhing of Idleneſſe, the diminiſhing of People, the weakening of the Realme, and the impairing of Gods Church; and haue put in practiſe many kindes of redreſſe: But that Bough dayly groweth and increaſeth more and more, and is onely nouriſhed in haſt to raiſe a Snow bal, which God hath giuen his word, ſhal quickly melt againe: for as ſhe ſtingeth her root oft times like an Adder, & ſometime like a Viper, ſo ſhe galleth forrainers with ſorrowfull and grieued harts, and with wet and weeping eies. And he that wil ſearch our ſtatutes one by one, from the firſt to the laſt, intended to the lopping or ſhredding of any Braunch or Budde of that curſed Tree, and thereby examine the liues and conuerſations of men, may with both his eyes ſee, that though ſome of the offences leuelled at by thoſe Lawes, be transfigured into other ſhapes; yet none of them be wholy reformed at this day, yea, ſcarce any thing amended, be the Law to the contrary neuer

4 H. 7 19.
7. H 8. 1.
27 H. 8. 22.
5 El 9. 5.
5. El. 2.
39. El. 1. 2.

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ſo ſtrict, or the penaltie neuer ſo great. And the ſame creeping weede hath fixed her rootes ſo deepely in the hearts of ſo many of each Sexe, Function, Vocation, and Degree, and ſuch a multitude haue confeſſed themſelues Bondmen to her in Court of Record, that I feare ſhee will liue and flouriſh, when her impugners ſhall be dead, and lye buried in their graues. If the Queſtion ſhould be asked me, what the reaſon is, Wherefore in matters meant to the honour of God, the gouernment of his Church, the title to the Crowne, the right of Succeſſion thereof, the Prerogatiues annexed thereunto, the ſolemne Oathes taken for the corroboration of the ſame, and ſome other cauſes of great conſequence, our Parliament Lawes could both attempt, and effect ſuch and ſo many Innouations and Changes; and in things tending to *Priuatum commodum*, beeing more baſe of condition, can worke ſo ſmall alteration, and preuaile ſo little; and vpon what reaſon ſo many Statutes haue been made in euery age for the repreſſing of the later, and ſo few in compariſon thereof touching the firſt: I would anſwere thereunto touching the former, with King *Salomon*, who deſcribing the nature and operation of time, ſaith;

Eccl. 3. *Omnia tempus habent, & ſuis ſpacijs tranſeunt Vniuerſa ſub cælo: Eſt tempus plantandi, & eſt tempus eraducandi.* And the ſame King deciphering man in his coate armour with his naturall colours, affir-

Eccleſ. 7. meth: *Quod deus fecerit hominem rectum, & ipſe ſe infinitis miſcuerit queſtionibus.* That is to ſay: All things which man hath the managing of, in times haue their beginning, increaſe, perfection, and alteration, and ſo haue the manner and forme of Gouernments, and the Lawes made for the eſtabliſhment of them. Man is continually in motion and action intangling his head with new queſtions; he doth rather applaud his owne proper conceit, then the cenſure of his Forefathers: for as his bodie is nothing but the ſlyme of the earth, duſt and aſhes, his glorie and countenance but like ſmoake, froth, and the morning dewe, ſo be his deuiſes and reſolutions wauering, mutable, vnconſtant, and as letters written in yce; and therefore he is aptly tearmed, *Vanitas, & Vanitati ſimilis*. And though reaſon be the cogniſance, badge, and difference of man from other creatures, yet he doth too often attempt to wreſt reaſon to his priuat opinion, and too ſeldome ſubiugate his opinion to reaſon. And moreouer, though the firſt be matters of weight, yet we behold them *à longè*, wee looke on them through our fingers, wee conceiue they belong not to vs, or that others ſhall beare the brunt or burden of them, or that it will be a long time before wee ſhall come to accompt for them: and ſo wee make ſmaller regard, and haue leſſe re-

ſpect

ſpect vnto them. But if *Meum & tuum*, *videlicet*, any wrangle for priuate profite be once ſet on foot, then wee preſently buſtle, wee ride, wee runne, wee crouch, wee kneele, wee vſe the Cappe, the Barre, the Tongue, the Sword, or Baſton, as they will auaile vs. Then the young ſonne enquireth of his old fathers yeares, and ſendeth out *Formdons* after his death, quarrelleth with his Mothers Ioynture, threatneth his Brethren with an Entaile, and vpon queſtion of *Aſſets*, abridgeth his Siſters porcions: Then are all the bonds of Neighbourhood, Amitie, Kinred, and Dutie broken; for *Achab* will riſe out of his graue, and wreſt a Vineyard from his neighbour *Naboth*; *Dalila* will play falſe againe, and betray her louer *Sampſon*; the Heards-men of *Abraham* and *Lot* will fall out, and themſelues will part companie; And in hope to get thirtie pence, *Iudas* will ſell and betray his Maſter. And though we all do know, that this greedie deſire of hauing, graſping, manner of getting, and inſatiable thirſt of poſſeſſing, be the roote of all iniquitie, be the thornes that choak the corne ſowen in Gods owne field, and the barren Fig Tree, which Chriſt himſelfe did curſe: Yet ſeeing it is a Moath feeding within our Natures, a Ruſt that hath his eſſence from our bowels, and a Canker growen out of our owne corruption, wee goe diſcontented and heauie away, and make as many delayes, ſhifts, and euaſions as we can, when any of our Statute Lawes ſhall attempt to bereaue vs of it, diminiſhe, or wreſt it from vs: which affection of ours the makers of Lawes in euery age perceiuing, haue indeuored to grapple with, and to the vttermoſt of their prouidence, to curbe it, by ſtopping of euery ſtarting hole, where Auarice might peep out her head. And by that meanes thoſe Statutes aboue others haue multiplied to ſo large a bulke, and are growen to that mightie number. Wherefore, ſeeing our Statute Lawes are ſo many, and of ſo different natures, and doe leuell at ſo ſeuerall markes, and tend to ſuch a multiplicitie of ends, and that whether wee conſent, or not, wee muſt either humbly ſubmit our ſelues to the obedience, or patiently endure the penalties of them; you ſhall do well (good Reader) ſeriouſly to conſider of them, and to the vttermoſt of your capacitie to meditate vpon them, one by one: for by the knowledge and vſe of them, you may direct your will, your life, and priuat actions, your dutie and obedience to our King and Soueraigne Lord, your reuerence and ſubmiſſion to his Lawes and Magiſtrates, your mutuall ſocietie and conuerſation with your Neighbours of all degrees, know and keepe your owne from other mens, inſtruct the ignorant, protect the oppreſſed, comfort the afflicted, aſſiſt the orphan, relieue

3. Reg. 21.
Iudic. 16.
Gene. 13.
1. Tim. 1.
Matth. 13.
Mark. 11.

relieue the fatherleſſe, and be a meane to wipe the trickling teares from the widdowes eyes. And alſo by the reading of them, you may inrich your vnderſtanding, and diſcerne the diſpoſition of the chiefe Gouernours of this Kingdom in euery age by it ſelfe, and by that meanes comprehend in your memorie, and record in your breſt, an Hyſtorie or perfect deſcription of the affection of our forefathers that ruled the ſterne; and perceiue which of them, and in what caſes had that wiſe and vnderſtanding heart that king *Salomon* craued of God, to direct him in gouernment; and how much, and in what manner they were inclined from one generation to an other, to the ſeruice of God, the maintenance of his Church, the aduancement of the honour, profit, or will of their King, the preſeruation of the Peace, and wealth of their Countrie, the ſafetie and benefit of the Subiects of euery degree, the vpholding of each kind of Science and Trade; and what ſort of perſons, and which vertues or things in their ſeuerall times they moſt eſteemed, and indeuoured to aduance, and what perſons, and which vices or facts they chiefely diſliked, and laboured to repreſſe. By which meanes euery wight, calling to his counſell ſuch helpes, which he hath receiued from God, Nature, and Reaſon, may in the ſecret cloſet of his heart, informe and ſatisfie himſelfe, and his owne priuate Conſcience, which age, and in what caſes in making of their Lawes, did ſet open the gates to either of thoſe beautifull and ſweet countenanced Ladies, *Prudence*, *Iuſtice*, *Fortitude*, or *Temperance*, and bent their force to ſupport their glorie, countenance, and credite: And whether any age in any caſe did ſuffer cloſely and couertly to creepe in at windowes, or ſlip in at chinkes, either of thoſe miſhapen and hard fauoured ſtrumpets, contempt of Knowledge, wilfull Iniuſtice, cowardly Puſilanimitie, or vnbridled and diſſolute Libertie: and which age, and in what caſes following the plaine and trodden path of Iuſtice, made good Lawes to reforme euill manners: and whether any age in any caſe ſought by-waies to impeach good manners: and which Statutes were ordained and continued, and which were repealed, altered, or ſuffered to expire vpon the ſounder rules of Chriſtian Religion, Vertue, or Wiſedome. And yet, he muſt foreſee, that in no caſe he make publication of his ſaid conceit, whatſoeuer it be; but leaue that to the cenſure of preſent authoritie in euery age by it ſelfe, ſo to remaine in ſuſpence, vntill that high and omnipotent Cenſor *Ieſus Chriſt*, the Sonne of God, the King of Kings, and Lord of Lords, by whom Kings doe raigne, and Law-makers diſcerne that is iuſt, ſhall meet man againe in the vale of Ioſaphat, and argue the caſe with him face

face to face: for he at whoſe preſence the pillers of heauen will tremble, and the foundation of the earth will quake, comming in the Maieſtie of his glorie, with a two edged ſword in his mouth, attended by all the hoaſt of Heauen, hauing a Trumpet of terror ſounding before him, a deuouring fire in his face, and a conſuming flame behind his backe, wil ſummon an other Parliament, appoint a new Tribunal, and ſit vpon the Rainebow in iudgement himſelfe; and laying open all books of Account, ſifting the reines and hearts of men, and ſearching Hieruſalem with a candle, will moſt ſtrictly examine the ſame Statutes, and euerie Article, Braunch, and Prouiſo thereof againe: and then in the preſence of God, of Angels, and men, will pronounce a moſt iuſt and vpright ſentence and irrepealable Decree, of the validity of all Lawes, and of the intention of each Law-maker, and aſſigne to them Iudgement in weight, and Iuſtice in meaſure; whoſe Iudgement no Writ of Error will reuerſe, nor whoſe verdict any Attaint can vndoe.

Vale.

The effect and meaning of the Characters or Markes in this Kalender or Table compriſed.

REP. *This Statute or Braunch of Statute was repealed by* 1.Ed.6.12. *or* 5.El.4. Et ſic &c. *And therefore is not inſerted in the Abridgement.*

EXP. *This Statute or Braunch being made to continue but for certaine yeares, or vntill the next Parliament, or Seſsion of Parliament, is expired: Or elſe the matter or thing for the which it was ordayned, is at an end, and expired. As Subſidies, Pardons, &c. And therefore it is not inſerted in the Abridgement.*

AL. *This Statute or Braunch is altered in ſuch a part, or point,* viz. *in the Purview, Exception, Penaltie, or &c. By* 13.Eliz.25. *or* 1.Iacob.4.&c. *And therefore is not inſerted in the Abridgement.*

OB. *This Statute or Braunch is* Obſoletum, viz. *worne out of vſe. As the Statute touching Calice, Normandie, Abbeyes, &c. And therefore is not inſerted in the Abridgement.*

PR. *This Statute or Braunch concerneth only ſome priuate perſon, place, or fact, and not the whole Common weale. And therefore is not inſerted in the Abridgement: but the chiefe ſubſtance and effect thereof is expreſſed in the Kalender or Table.*

AB. *This Statute or Braunch is either wholly, or in part, in force, and may be put in vſe and practize: and is inſerted in the Abridgement in ſuch a Title, and ſuch a Braunch. As, Draperie 6. Labourers 10. &c.*

Q. *Inquire whether this be in force, or &c.*

S. *See the Title of A. Braunch 1. &c.*

A Kalender, or Table comprehending the effect of all the Statutes that haue beene made and put in print, beginning with Magna Charta, ordained *Anno 9. H. 3.* and proceeding one by one vntill the end of the Seſſion of Parliament holden *Anno* 4. Regis IACOBI, declaring by certaine Characters, which of the ſame Statutes or braunches of Statutes be repealed, which be expired, which be altered in the whole or part, which be worne out of vſe, which were ordained for particular perſons or places, and which being generall, in force and vſe, are inſerted in the ſeuerall titles of this Abridgement.

Magna Charta, otherwiſe called the great Charter made at Weſtminſter 10. die Februarij, Anno 9. H. 3. & Anno Dom. 1224. and confirmed at Weſtminſter, 28. die Martij, Ann. 28. Ed. 1. & Ann. Dom. 1299.

THe King graunteth to God, and for him and his heires confirmeth, That the Church of England ſhall be free, and haue all her rights and liberties inuiolable: And that all free men of this Realme ſhall haue all theſe liberties hereafter mentioned, to them and their heires for euer. Liberties of the Church.

2 The Reliefe of the heire of an Earle, Baron, and knight, holding land of the king. AB. Reliefe 1. Reliefe.

3 At what age an heire being in ward ſhall haue his inheritance: and when if he be a knight. AB. Wards 3. A ward made knight.

6. Ed. 1. 5. 4 Gardeins ſhall make no waſt in Wards lands. The penaltie of the kings committee, or aſſignee of a Wards lands, which committeth waſt. AB. Wards 10. 21. 22. No waſt by gardein.

14. Ed. 3. 4. 5 5 Gardeins ſhall maintaine the inheritance of their Wards. (AB. Wards 10) And of Archbiſhopricks, Biſhopricks, Churches, and Dignities vacant, which pertaineth to the king. But ſuch cuſtodies ſhall not be ſold. Gardein.

20. H. 3. 6 6 Heires ſhall be married without diſparagement. AB. Wards 15. Diſparagement.

20. H. 3. 1. 17. Ed. 2. 5. 7 A widow ſhall haue her mariage, inheritance, and quarentine: but ſhall not marie without her Lords aſſent. AB. Dower 1. Prerogatiue 4. widowes.

8 Suerties ſhall not be charged with the kings debt, ſo long as the principall hath ſufficient. And the ſuerties being charged, ſhall haue the debtors lands. AB. Accomptants &c. 51. Suerties to the king.

9 The Citie of London and all other Cities, Boroughes, Townes, and Ports, and the fiue Ports, ſhall haue all their liberties and free cuſtomes. FR. Cities Liberties.

10 None ſhall be diſtrained to do more ſeruice for a knights fee, or his freehold, than is due. AB. Freehold 1. Seruice.

Cõmon pleas. 11 Common Pleas shall not follow the kings court, but bee holden in a place certaine. AB. Courts 5. 28.E.1.4.

Assises. 12 Assises shall be taken but in their Counties, and difficult causes ended before the Justices of the Bench. AB. Assise 12.

Darr. present. 13 Assises of Darrein Presentment shall be taken, and determined before the Justices of the Bench. AB. Assise 12. 13.E.1.30.

Amerciamẽts 14 How men of all sorts shall be amerced, and by whom. AB. Amerciaments 1. &c. 3.Ed.1.6.

Bridges. 15 16 By whom Bridges and Banks shall be made. AB. Weares 1.

Pleas of the crowne. 17 No Sherife, Constable, Eschetor, Coroner, or other Bailise, shall hold Pleas of the Crowne. AB. Coroners 16.

K. debt. 18 The kings debtor dying, the king shall first be paid his whole debt. AB. Accomptants &c. 5. 33.H.8.39.

Purueiance. 19 How purueiance shall be made to victuall a castle. AB. Purueiors 6. 3.Ed.1.7.

Castle ward. 20 How Castle ward shall be done. AB. Castles 1.

Purueiors. 21 Purueiors shall not take any horses or carts, except they pay the price limited. No demesne cart of any spirituall person, knight, or other lord, shal be taken. Wood shal not be take without the owners cõsent. AB. Purueiors 8.13 14.E.3.19.

Felons lands 22 The king shall haue the lands of a Felon conuicted for a yeare & a day, and then deliuer them to the lord of the fee. AB. Prerogatiue 16. 17.Ed.2.16.

Weares. 23 Weares shall bee put downe, sauing onely by the sea coasts. AB. Weares 1.

Precipe. 24 No Precipe in Capite shall bee graunted, whereby any shall loose his court. AB. Courts 6.

Measure. 25 One measure of wine and corne shall bee through the Realme. AB. Weights 1.

Inquisition of life. 26 Nothing shall be taken of him that praieth Inquisition of life or member. AB. Amerciaments &c. 3. 13.Ed.1.29.

Tenures. 27 Tenure of the king by Fee farme, Hocage, or Burgage, and of another by knights seruice. Tenure of the king by petit Seriantie. AB. Wards 18.

Wager of law 28 There shall be no wager of law without witnesses. AB. Wager 1.

Iustice. 29 No man shall be condemned but by lawfull triall. Iustice shall not bee sold, deferred, nor denied to any man. AB. Iustice 1. Accusation 1. 2.E.3.8. 5.E.3.9.

Marchants. 30 Marchants shall haue safe conducts, & how marchants enemies shalbe vsed. AB. Marchants 1.

Tenure. 31 Tenure of a Baronie come to the kings hands by Eschete, shall bee as if it were in the hands of the Baron. AB. Tenure 1. 1.E.3.13. 1.E.6.4.

Seruice. 32 None shall giue or sell more of his land, but that the residue may satisfie the lord of the Fee his seruice due, which belongeth to that Fee. AL. Westm. 3.18.E.1.

Vacation of Abbeyes. 33 Patrons of Abbies which haue the aduowsons of them, shall haue the custodie of them in time of vacation. CB.

Appeale by a woman. 34 A woman shall not sue an Appeale of the death of any, but of her husband. AB. Appeales 4.

Shirifes courts. 35 At what time the Countie Court, Sherifes Turne, and view of frankpledge shall be kept. AB. Turne 1. Countie 1. 31.Ed.3.15

Mortmaine. 36 A gift of land to a house of Religion shall bee void. AB. Mortmaine 1. 7.E.1. 15.R.2.5.

Escuage. A fifteene. 37 Escuage shall be taken as hath beene accustomed. All mens liberties and free customes shall bee reserued. A fiftéene giuen to the king for these liberties, and the liberties of the Forrest. If the king or his heires shall do any thing to infringe these liberties, the same shall be void.

Charta

Charta Foreſtæ made at Weſtminſter 10. die Februarij

Anno 9. H. 3. & Anno Domini 1224. and confirmed anno 28. Ed. 1. & Anno Domini 1299.

¶ 1 Thoſe grounds that K. Henry the ſecond aforeſted, which were not his owne demeſnes, whereby the owner of the wood hath hurt, ſhall be a diſaforeſted; ſauing the common to thoſe which haue right. Diſaforeſtment

2 They that dwell out of the foreſt, are not bound to the ſummons thereof, vnleſſe they be impleaded, or ſuerties. AB. Foreſts 7. Foreiners.

3 Woods made foreſt by K. Richard the firſt, or K. Iohn, being not the kings demeſne wood, ſhall be diſaforeſted. Diſaforeſtment

4 No purpreſture, Waſt, or Aſſert, ſhall bee made in foreſts, without the kings licence. AB. Woods 24. Purpreſture.

5 Raungers ſhal make their raunge in the foreſt, as hath bẽn accuſtomed. AB. Forreſts 6. Raunge.

6 There ſhall be lawing of dogges in foreſts, in places accuſtomed. AB. Forreſts 6. Lawing of dogges.

7 No Foſter or Beadle ſhall make Scotall, or gather Garbe of Oates, Lambe, or Pigge, nor any gathering, but by the ſight, and vpon the oath of twelue raungers, when they ſhall make their raunge. Q. for the vſe. Gatherings.

8 At what times of the yeare Swanimotes ſhall be kept, and who ſhal repaire vnto them. AB. Foreſts 2. Swanimotes

9 A free man may take agiſtment and pawnage, and driue his ſwine in the foreſt. AB. Woods 23. Agiſtment.

10 The puniſhment for killing of the kings Deere. AB. Forreſts 1. Killing of Deere.

1. H. 7. 7. 11 A Nobleman may kill a Deere in the kings foreſt. AB. Forreſts 5.

12 13 How any free man may vſe his land within the foreſt. And what things breeding in his woods there, he may take. AB. Woods 24. Nobleman.

14 No Foſter which is not foſter in fee, paying to the king ferme for his Bayliwike, ſhall take any Chimage or Toll within his Bayliwike. But a foſter in fee paying the kings rent for his Bayliwike, ſhal take Chimage, viz. for carriage by cart a halfe yeare y. d. and the other halfe yeare y. d. And for a horſe that beareth burden, for halfe a yeare ob. and for the other halfe yeare ob. And but of thoſe onely which come as Merchants through his Bayliwike by his licence to buy Buſhes, Timber, Barke, or Coale, & to ſell it againe where they will. But for none other carriage by cart, Chimage or Toll ſhall bee taken. And Chimage ſhall be taken but in ſuch places as it hath bẽn vſed to be, and ought to be. They which carry vpon their backs Wood, Barke, or Coale, to ſell, though they liue thereby, ſhall pay no Chimage to the kings foſters, but in his owne demeſne woods. Q. for the vſe. Chimage.

15 A Pardon of all outlawes of Treſpaſſe within the foreſt, ſithence the raigne of king Henry the ſecond, ſo that they find ſuertie to offend no more. EXP. Pardon.

1. Ed. 3. 8. 7. R. 2. 4. 16 No Conſtable, Caſtellein, or Bayliſe ſhall hold pleas of the foreſt, either of vert, or veniſon: But euery foreſter of fee ſhall attach the pleas of the foreſt, as well of vert, as of veniſon, and ſhal preſent them to the verderors of thoſe parts: and when they be inrolled and included vnder the Seales of the verderors, they ſhall be preſented to the chiefe Juſtices of the foreſt, when they ſhall come into thoſe parts to hold the pleas of the Foreſt, and determined before them. AB. Forreſts 2. Pleas of the foreſt.

The Statute of Ireland made at Weſtminſter 9. die Februarij *Anno* 14. *H.* 3. *& Anno Domini* 1229.

Coparceners. ¶ 1 If lands holden of the King in chiefe, or of another Lord by knights ſeruice, ſhall diſcend to Coparceners within age, then euery of them ſhal be in ward, and ſhall haue part of the lands ſo holden. AB. Partition 1. 17.E.2.5.

Statutes made at Merton 23. die Ianuarij, Anno 20. *H.* 3. *& Anno Dom.* 1235.

Dower. ¶ 1 A widow ſhall recouer her Dower, or Quarentine, and damages of thoſe lands whereof her huſband died ſeiſed. AB. Dower 1. 9.H.3.7.

Widowes crop. 2 Widowes may bequeath the crop of their dowers and other lands. AB. Wils 20.

Redisſeiſin. 3 Who may bring a Writ of Rediſſeiſin, in what caſe it lyeth, and the puniſhment of the offendor therein. AB. Rediſſeiſin 1. &c. 52.H.3.7. 13.E.1.46.

Approuement 4 Lords of Waſts, Woods, and Paſtures, may approue againſt their tenants. AB. Approuements 1. 13.E.1.46. 3.E.6.3.

Vſurie. 5 Vſurie ſhall not run againſt any within age, from the time of the death of his auncestor. CB. 5.Ed.6.20

Wards. 6 The penalties for taking away, or marrying an heire vnder the age of foureteene yeares. A ward marrying without conſent of her gardeine. Diſparagement of Wards. AB. Wards 6.15. 13.Ed.1.35 3.Ed.1.22 9.H.3.6.

Value of marriage. 7 The recompence to bee made by the Ward, refuſing to marrie by his Lords aſſignement. AB. Wards 7.

Preſcription. 8 Seuerall limitations of preſcription in ſeuerall writs. AL. 32.H.8.2. 3.E.1.38.

Baſtardie. 9 He is not allowed to be ligitimate that is borne before marriage. AB. Baſtardie 2.

Atturney. 10 Atturneyes allowed to make ſuit of Court. AB. Atturney 1.

Priuate reuenge. 11 The Lords demanded the impriſonment of thoſe that made treſpaſſes in their parkes and ponds, which the king denied. EXP.

The Statute de Anno Biſſextili, made at Weſtminſter *Anno* 21. *H.* 3. *& Anno Dom.* 1236.

Leape yeare. ¶ 1 The day of the Leape yeare, and the day next before, ſhall bee holden for one day. AB. Dayes &c. 7.

Bread, Ale. ¶ 1 The Statute intituled Aſſiſa panis & Ceruiciæ, made An. 51. H. 3. aſſiſeth the prices of Bread and Ale, according to the prices of corne. AB. Weights &c. 15.

Dayes in Banke. ¶ 1 The Statute made Anno 51. H. 3. & Añ Dñi 1266. concerning generall dayes in Banke in reall actions. AB. Dayes &c. 3.

Dayes &c. ¶ 1 The Statute made Anno 51. H. 3. & Añ Dñi 1266. of generall dayes in a Writ of Dower. AB. Dayes &c. 4.

Statut. de Diſtrictione Scaccarij, made Ann. 51. H. 3. *& Anno Domini* 1266.

Diſtreſſe. ¶ 1 How a Diſtreſſe taken for the kings debt ſhall be vſed: within what time it ſhall be ſold, by what meanes it may be redeemed, and what kind of diſtreſſe it ſhall be. AB. Accomptants &c. 52. Diſtreſſe 8. 10. 11. 12. 28.E.1.12.

Statut.

Statut. de Scaccario, made Anno 51. H. 3. & *Anno Domini* 1266.

¶ 1 The kings Fermers, Shirifes, and Baylifes, ſhall make their accounts and paiments in the Exchequer, the morrow after S. Michael, and the morrow after the clauſe of Paſche. And ſo ſhall the Juſtices of Cheſter & their Baylifes. The Shirifes ſhall kæpe the Kings Wards and Eſcheates. Collectors of Cuſtomes, and Gardeines of the Kings Wardrobe, ſhall account yearely. The Shirife of Cumberland ſhall execute the office of Eſcheator in Weſtmerland and Lancaſter. The Shirife of Nottingham in Rutland. The Sh. of Glocester in Worcester. And the Sh. of Deuonſhire in Cornewall. Queſtions touching the kings debts, ſhall be heard before other mens ſuites. Officers in the Exchequer ſhall be of credit and ſufficiencie. Three Surueyors ſhall bæ appointed of the Kings Wards and Eſcheats, and their duties. Collectors of the Cuſtomes of Wools account and payment. The Eſtretes of Fines and Amerciaments ſhall be deliuered into the Exchequer. Quære how much thereof is in vſe. Exchequer.

¶ 1 A Statute of the Pillorie & Tumbrell, and of the Aſſiſe of Bread and Ale made Anno 51. H. 3. & Anno Domini 1266. AB. Weights &c. 15. Pillorie.

Statutes made at Marleborough 18. die Nouembris, *Anno 52. H. 3. & Anno Dom. 1267.*

1. & 2. P. & M. 12. ¶ 1. 2. 3. 4. Which diſtreſſes be lawfully taken, and for what cauſes, and which not, and how diſtreſſes are to bee vſed. AB. Diſtreſſes 1. 3. 4. 5. 6. 7. Diſtreſſe.

5 A Confirmation of the great Charter, and the Charter of the Forreſt.

34. H. 8. 5. 6 A Fraudulent conueiance to defeat a Lord of his Wardſhip, ſhal bee void. AB. Wards 1. 2. Fraud.

20 H. 3. 3. 7 Proceſſe againſt the Deforciour, which doth not appeare in a Communi cuſtodia. Ward by reaſon of Ward. AB. Wards 2. Wards.

13. Ed. 1. 26. 8 The puniſhment of thoſe which committed Redilleiſin. AB. Redilleiſin 3. Redilleiſin.

9 In what caſes tenants ſhall be bound to doe ſuite to their Lords court. And in what manner Coparceners ſhall doe their ſuite. AB. Suite of Court 1. 2. Suit of court.

10 Certaine perſons ſhall be exempt from apparance at Shirifs Turnes. AB. Turnes 2. Turnes.

3. E. 1. 8. 1. E. 3. 8. 11 Neither in the Eire of the Juſtices, nor in the Countie, Hundred, nor in Court Baron, any fines ſhall be taken for Beaupleder. EX. Beaupleader.

12 Dayes giuen in Dower, Aſſiſe of Darrein Preſentment, & Quare impedit. AB. Dayes 4. Quare impedit 1. Dayes.

13 After iſſue ioyned, there ſhall be but one Eſſoine, or one default. AB. Eſſoine 4. Eſſoine.

14 They which haue Charters of Exemption, muſt yet in ſome caſes bæ ſworne. AB. Iurors 2. Exemption.

3. Ed. 1. 16. 15 In what places diſtreſſes ſhall not be taken. AB. Diſtreſſes 3. Diſtreſſe.

17. Ed. 2. 3. 16 A remedie for the heire, if his Lord doth kæpe, or put him forth of his inheritance. AB. Wards 9. The King ſhall haue Primer ſeiſin after the death of his tenant, of lands holden of him in chiefe. AB. Prerogatiue 3. Primer ſeiſin.

Ward in Socage. 17 The authoritie and dutie of Gardians in Socage. AB. Wards 11.

Amerciament. 18 Which officers haue authoritie to amerce for default of common summons, and which not. AB. Amerciaments &c. 4.

Essoine. 19 In which Courts none shall need to sweare to warrant their essoines. AB. Essoines 1.

False iudgement. 20 None but the king shall hold plea of false iudgement. AB. False iudgement 1.

Repleuin. 21 Who shall make Repleuin of distresses that be taken and withholden. AB. Repleuin 1.

Freehold. 22 None shall compell his freeholder to answer for his freehold, or to be deposed. AB. Freehold 1. 15.R.2.12. 16.R.2.2.

Accomptants waste. 23 A remedie against accomptants which withdraw themselues. AB. Accompt 1. Fermors during their tearmes shall make no waste. AB. Waste 1. 6.Ed.1.5.

Townes amerced. 24 Iustices in Eire shall not amerce Townships in their circuits, for that all of twelue yeares of age came not before the Shirife and Coroners to make enquirie of Robberies, burning of houses, or to doe other things perteining to the Crowne, so that there came sufficient out of those Townes, by whom such Inquisitions may sufficiently bee made, except it bee an Inquision to bee made of the death of a man, whereat all of twelue yeares of age, ought to appeare, vnlesse they haue a reasonable cause of their absence. AB. Coroners 17.

Murder. 25 What kind of Manslaughter shall bee adiudged Murder. AB. Murder 6.

Voucher. 26 What day shall bee giuen to him that is vouched to Warrantie. AB. Voucher 7.

Clerke bailed. 27 If a Clerke for any offence touching the Crowne be arrested, and after let to baile, and they to whom he was committed to baile, bring him before the Iustices, the suerties shall not bee amerced, although hee cannot, or will not answere in respect of his Clerkes Priuiledge. AL. 28. H. 8. 1. 32. H. 8. 3.

Prelates. 28 Remedies for the successors of Prelates, for wrongs done in the times of their Predecessors, or in the Vacation. AB. Ecclesiasticall &c. 45.

Entrie in the Post. 29 In what case a Writ of Entrie sur disseisin in the Post doth lye. AB. Entrie 2.

The Statute of Westminster the first, made at Westminster 25. die Aprilis, Anno 3. Edward 1. & Anno Dom. 1275.

Religious houses. ¶ 1 The peace of holy Church and the Realme shall be maintained. Religious houses shall not be charged with resort, nor their goods taken without consent of their Gouernors. EXP.

Clergie. 2 A Clerke conuict of felonie, and deliuered to the Ordinarie, shall not depart without due purgation. AL. 18. El. 6.

Escape. 3 The penaltie for leuying money for the escape of a felon before it bee adiudged. AB. Escape 2.

Wreck. 4 What shall bee adiudged a Wreck of the Sea, and what not. AB. Wrecke 1.

Election. 5 There shall bee no disturbance of free Elections. AB. Corporations 29. 9.E.2.14.

9.H.3.14. 6 All Amerciaments shall be reasonable, and according to the offence. AB. Amerciament 1. — Amerciament

9 H.3.19. 7 In what manner, and of whom Purueyance shall be made for a Castle. AB. Purueyors 6. — Purueiance.

52 H.3.11. 8 Nothing shall be taken for Beaupleader. EXP. — Beaupleader.

2.Ed.3.8. 9 All men, vpon commaundement, shall be ready to pursue and apprehend felons: and the penaltie of those which doe not. AB. Felonie 38. — Felons.

2.H.8.7. 10 What sort of men shall be Corroners. The Shirifes shall haue Counter-rolles with them. They shall take nothing to execute their office. AB. Coroners 1. 15 16. — Corroners.

11 Repleuie of men by the writ of Odio & Atia. An Enquest to trie him which is indited of Murther, shall be of lawfull men tried by the oathes of 12. men (of whom two at the least shall be knights) of no affinitie with the prisoner, nor otherwise suspected. CB. — Triall of murther.

12 The punishment of notorious felons refusing lawfull triall. AB. Felonie 40. — Felons.

13 He that doth rauish or take away by force any woman against her will, shall bee two yeares imprisoned, and make fine at the Kings pleasure. AL. 13.Ed.1.34. — Rape.

14 How an Appeale shalbe attached and prosecuted against the principal, and how against the accessorie. AB. Appeales 3. — Appeales.

15 Which prisoners bee mainpernable, and which not. AB. Mainprise 1. 2. 3. — Mainprise.

52.H.3.4. 1.&2.P.& M.12. 52.H.3.5. 16 None shall distraine out of his fee, nor driue the distresse out of the same Countie. AB. Distresse 1. 3. — Distresse.

17 The remedy if a distresse be impounded in a Castle or Fortresse. AB. Distresse 4. — Distresse.

18 Knights and other honest men of the Countie shall assesse common fines & amerciaments forfeited by the whole Countie before Iustices in Eire vpon all such as ought to pay: and the Iustices shall cause the parcels to bee put in the Estretes, which shall be deliuered into the Exchequer, and not the whole summe. CB. — Commõ fines

19 A Sherife hauing receiued the Kings debt, shall discharge the debtor. AB. Accounts &c. 52. — Kings debts.

2.H.7.7. 20 The punishment of those which commit Trespasses in parkes & ponds. AB. Forrests 3. Taking of tame beasts by manner of robberie is felonie. AB. Felonie 24. — Parkes.

9.H.3.5. 6.E.1.5. 21 Gardeins shall make no Waste in the lands of their Wardes. AB. Wards 10. — Waste.

20.H.3.6. 22 The seuerall penalties, if an heire of full age or within age doe marrie without his Gardeins consent. At what age an heire female shall bee out of ward: And the penaltie if shee refuse a mariage tendered. AB. Wards 6. 7. 12. 13. — Wards.

23 In a Citie, Borough, Towne, Market, or Fayre, no forrainer shall be distrayned for a debt that hee doth not owe, or is not suretie for. AB. Debt 1. — Debt.

24 Assise maintenable against any of the Kings officers, who shall disseise another of his freehold. AB. Assise 4. — Assise.

33.Ed.1. 25 None shall commit Champertie, to haue part of the thing in question. AB. Maintenance 5. — Champertie.

26 No officer of the Kings shall take any thing to doe his office, but of the King. AB. Extortion 1. — Extortion.

27 No

Extortion. 27 No Iustice, Escheto*r*, o*r* Commissioner in Eires clerke, shall take any thing, but the accustomed fees, vpon paine to lose thrice so much, and his masters seruice fo*r* one yeare. CB.

Maintenance 28 The penaltie if any Clerke of the Kings, any Iustices, o*r* Sherifes do maintaine any suit. AB. Maintenance 2.

Pleaders. 29 The penaltie if a Serieant o*r* Pleader doe commit any deceit. AB.
Extortion. Deceit 1. O*r* if any officer of any Iustice doe commit extortion. AB. Extortion 2.

Toll. 30 The penalty fo*r* taking of excessiue toll in a Citie o*r* Market town. AB.
Murage. Toll 1. Murage granted to Cities o*r* Townes to inclose their Townes, vsed otherwise then it was granted, shall be void. EXP.

Purueiors. 31 The penaltie of Purueyo*r*s, not paying fo*r* that they take: o*r* fo*r* receiuing rewards to pay the K. debts: o*r* fo*r* taking mo*r*e ho*r*ses o*r* carts then is needfull: o*r* fo*r* discharging men fo*r* rewards. AB. Purueiors 7. 13. 20.R.2.5. 28.H.6.2.

Barrettors. 32 No Shirifes shal suffer Barrettors o*r* maintainers of quarrels in their Counties: no*r* any Noblemans steward to doe sute o*r* giue iudgement there (vnlesse he be Atturney fo*r* his Lo*r*d) if he be not specially required of al the suto*r*s, o*r* Atturney fo*r* them. CB.

Newes. 33 None shall tell newes o*r* tales, whereby disco*r*d may rise betweene the king and his people, o*r* the Nobles. AB. Newes 1. 2.R.2.5. 12.R.2.11.

Arrests. 34 The penaltie fo*r* arresting within a libertie those which hold not of the. AB. Arrests 2.

Aide. 35 How much shalbe taken fo*r* aide to make the sonne Knight, o*r* to marry the daughter. AB. Aide 1. 25.Ed.3.11.

Disseisor. 36 The penaltie of a man attainted in Assise of disseisin with robberie of goods in the time of K. Ed. 1. EXP.

Attaint. 37 Attaint shalbe granted in plea of land touching freehold. AB. Attaint 12.

Prescription. 38 Seuerall limitations of prescription in seuerall writs. AL. 32. H. 8. 2. 20.H.3.8.

Voucher. 39 Voucher to warrantie, and Counterpleader of Voucher. AB. Voucher 2. 3. 4.

writ of Right 40 The Champion of the demandant in a writ of right shal not be compelled to sweare, that he o*r* his father did see the seisin of his Lo*r*d, o*r* his Ancesto*r*: and that his father commanded him to dereigne the Right. CB.

Essoine. 41 In Assise, Atteint, o*r* Iuris vtrum the tenant after appearance shal not be essoined. AB. Essoines 3.

Fourcher. 42 There shall be no mo*r*e Fourcher by essoine. AB. Essoine 2. 6.Ed.1.10.

Essoine. 43 In what case essoine vltra mare shall not be allowed. AB. Essoine 5.

Proces. 44 In all writs after Attachment, and default, the great distresse shall be awarded. The Kings Iustices shall deliuer the issues forfeited into the Wardro*r*p: the I. of the common place into the Exchequer, and the I. in Eire to the Sherife of the Countie where they plead, o*r* of another Countie. Q. fo*r* the vse.

Issues.

K. Bench. 45 Iustices of the K. Bench shall decide all pleas determinable one day before any plea be commenced the day following. CB.

Nonage. 46 Nonage of the heire of the disseiso*r*, o*r* disseisee, shall not preiudice in an Assise. Where Attaint shall bee maintenable by an heire within age. AB. Age 1.

ward. 47 The remedie where the guardian maketh a feoffement of his Wards land. Suite by Prochein amy. AB. Wards 7.

Dower. 48 What shall the tenants only plea in a writ of dower Vnde nihil habet.
Assise. AB. Dower 7. At what time Assises of Mortdaunceste*r*, Nouel disseisin, & Darrein presentment shall be taken. AB. Assise 12.

Anno

Extenta Manerij, Anno 4. Ed. 1.

& Anno Dom. 1276.

¶ 1 A Statute touching the extent of a Mano͂r, expꝛessing a suruey of the buildings, gardens, curtilages, doue-houses, demesne lands, cõmons, parkes, woods, pawnage, herbage, riuers, mo͂res, heaths, walks, mils, fish ponds, frẽholds, customary tenants, cotages, perquisites of courts, patronages of churches, heriots, faires, markets, eschetes, customes, seruices, fines, reliefes, and other casualties of a manno͂r, and what euery of them is wo͂rth by the yere. Suruey of a manoꝛ.

¶ 1 A Statute touching the office of a Co͂roner, made Anno 3. o& 4. Ed. 1. & Anno Dom. 1276. AB. Coroners 2. &c. Coꝛoners.

The Statute of Bigamie made Anno 4. Ed. 1.

& Anno Dom. 1276.

¶ 1 2 In what cases aid shall be graunted of the King, and in what not. AB. Aide & c. 1. Aide.

3 In dower the Kings grantée of a ward shall not haue aid. AB. Aide 2. Aide.

4 Purpꝛestures o͂r vsurpations vpon the Kings land shall bée releised. AB. Prerogatiue 13. Intrusion.

5 Bigamus shall not be allowed his Clergie. HP. 1. Ed. 6. 12. Bigamus.

6 Where by a feoffement made of land, and by what wo͂rds therein, the feoffo͂r shalbe bound to warrantie, and where not. AB. Warrantie 1. Warrantie.

Statutes made at Glouceſter 4. die Octobris, Ann. 6. Ed. 1. & Anno Dom. 1278.

¶ 1 The alienée of a disseiso͂r shalbe charged with damages. In what actions damages shalbe recouered. Where damages shalbe recouered, there also shall costs. AB. Damages 11. 12. 13. 14. Damages.

2 Where nonage in a sute commenced by an Infant fo͂r land, shall not stay an enquest. AB. Age 2. Nonage.

32. H. 8. 28. 3 A man alieneth the land which he holdeth by the courtesie of England with warrantie. AB. Warrantie 2. warrantie.

13. Ed. 1. 21. 4 In what case a Cessauit is maintenable against a Tenant in fée farme. AB. Cessauit 1. Cessauit.

13. Ed. 1. 14. 31. H. 3. 23. 5 An action of Wast shall be maintenable against tenant by the courtesie, fo͂r life, yeares, o& gardein, &c. AB. Wast 2. Wards 10. wast.

6 Where diuers heires shall haue one Assise of Mortdaunceſter. AB. Mortdaunceſter 1. Mo͂rtdaunceſter.

11. H. 7. 20. 7 A remedie fo͂r him in reuersion, where a woman doth alien her dower. AB. Women 1. In casu pꝛomiso.

8 None shall haue an action of Trespas beſo͂re the B. Iustices, except hée sweare that the goods taken away were wo͂rth 41. s. at the least: and if it be of batterie, that his pleint is true. CB. The defendants may make Atto͂rneies in such suites where appeale lyeth not. AB. Atturneys 6. The penaltie if the defendant being essoined, doth not bꝛing in his warrant. AB. Essoine 7. Trespas 41. s. Atturney. Essoine.

2. Ed. 3. 2. 9 Pardon may be granted where one killeth another in his owne defence, o& by misfo͂rtune. AB. Pardon 1. The fo͂rme of an appeale of murther. AB. Appeale 2. Pardon.

3. Ed. 1. 42. 10 The husband and wife being impleaded, shall not fourch by Essoine. AB. Essoine 2. Fourcher.

21. H. 8. 15. 11 A fained recouerie against him in the reuersion to make the termo͂r to lose his terme, shall be void. AB. Recoueries 8. Fained recouerie.

12 One

Voucher. 12 One impleaded in London voucheth a forraine to warrantie. AB. Voucher 6.

Waſt. 13 No waſt or Eſtrepement ſhalbe made depending any ſuit. AB. Waſt 2.

Damages in London. 14 A Citizen of London being diſſeiſed, ſhal recouer damages by the ſame Aſſiſe, whereby he recouered his freehold: and the diſſeiſors ſhalbe amerced before two Barons of the Exchequer, that once in the yeare ſhall come for that purpoſe into the Citie, which ſhall be leuied by the Treaſurer and Barons of the Exchequer. CB.

Aſſiſe of wine. 15 The Maior and Bailifes of London ſhal inquire of wines ſold contrarie to the aſſiſe, and preſent the offendors before the ſame Barons. CB.

¶ 1 An expoſition of the ſaid Stat. of Glouceſter made alſo the ſame An. 6. Ed. 1. viz. of the 1. 2. 3. 4. 5. and 7. chapters thereof. The ſame ſtatute ſhall bee expounded to redreſſe the enormities in thoſe Chapters mentioned, which ſhould be committed after the ſaid Statute publiſhed. S. cap. 1. & Quære.

No Armour. ¶ 1 Ann. 7. Ed. 1. viz. 30. die Octobris, Anno Do. 1276. It was ordained that to all Parliaments, Treatiſes, & other aſſemblies, euery man ſhall come peaceably without any force or armour. 2. Ed. 3. 3. 7. R. 2. 13. 20. R. 2. 1.

Mortmaine. ¶ 1 Ann. 7. Ed. 1. viz. 14. die Nouembris, Ann. Dom. 1276. A Statute was made, limiting who ſhal take the forfeiture of lands giuen in Mortmain. AB. Mortmaine 1. 2. 5. H. 3. 36. 15. R. 2. 5.

Voucher forraines. ¶ 1 A Statute made Ann. 9. Ed. 1. viz. 2. die Maij, Ann. Dom. 1281. A correction of the 12. Chapter of the Statute of Glouceſter, touching calling forraines to warrantie in London. AB. Voucher 6. 6. E 1. 12.

A new Statute of the Exchequer called the Statute of Rutland, *made Ann. 10. Ed. 1. viz. 14. die Maij, Anno Dom. 1282.*

Kings debts ¶ 1 There ſhall be certaine perſons aſſigned which ſhal be ſent into euery Countie to inquire of ſuch debts as bee owing to the King by Sheriffes or their heires, and others. The bodies of Shires ſhall bee written in an annuall Roll in the Exchequer, and yearely read to the Sheriffes vpon their accounts, wherein ſhall bee written the fermes of Sheriffes, and other fermes, and all debts determined, and groſſe debts, whereof there is hope of payment, and whereof the Sheriffe is anſwerable. And of dead fermes, and debts deſperate a Roll ſhall be made. An order for them which haue Tailes of the Exchequer for the debts of themſelues or their auncеſtors to be deliuered to the Sheriffe, and then to be allowed in the Exchequer. No plea ſhall bee holden or pleaded in the Exchequer, vnleſſe it concerne the King or his Officers there. Q. for the vſe.

Statute Marchant. ¶ 1 The Statute of Acton Burnell made Ann. 13. Ed. 1. & Anno Dom. 1285. ordaining the Statute Marchant for recouerie of debts. AB. Statutes &c. 1.

The Statutes of Weſtm. 2. made Anno 13. *Ed. 1. & Anno Dom. 1285.*

Gifts in taile. ¶ 1 In gifts in taile the Donors will ſhall be obſerued. AB. Taile 1. The forme of a Formedon in diſcender. A fine leuied by tenant in taile ſhal be void. AL. 32. H. 8. 36.

Recordare. Second deliuerance 2 A Recordare graunted to remoue a plaint forth of the Countie Court. Pledges to proſecute the ſute, and to make returne. A Second deliuerance awarded. AB. Repleuin 2. 3. Second deliuerance 1.

A Cui

20.Ed.1. 3 A Cui in Vita for the wife, where her deceased husband lost her land by default. AB. Women 5. Upon an action brought, the wife shal be receiued vpon her husbands default, and so shall hee in the reuersion vpon the particular tenants default. AB. Resceit 1.2. — Cui in vita. Resceit.

4 A woman shall be endowable of lands recouered against her husband by collusion, or default. And the heire may auoid a dower recouered by collusion. AB. Dower 8.9. A remedy for particular tenants which lose their land by default. AB. Quod ei deforceat 1. — Dower. Quod ei deforceat.

5 Remedies to represse vsurpations of Aduowsons of Churches. AB. Aduowson 1. &c. — Aduowson.

6 The penalty, if a tenant impleaded of land voucheth, and the vouchee denieth the warrantie. AB. Voucher 1. — Voucher.

7 Admeasurement of dower for the gardein, and the heire: And the proces therein. AB. Admeasurement 1. — Admeasurement of dower.

8 In what case the Writ of Secunda superoneratio pasturæ, shall be awarded by the Iustices, and in what out of the Chauncerie. AB. Admeasurement 2. — Second surcharge.

9 In what case the Writ of Mesne is to be pursued. AB. Mesne 1. — Mesne.

10 At what times Writs shall bee deliuered for such suites as depend in triall before Iustices in Eire, &c. Any person may make a generall Atturney, AB. Atturney 2. — Atturney.

11 The Maisters remedie against their Seruants, Baylifes, and Receiuers accountable. AB. Account 2. Escape 1. — Account.

1.R.2.13. 12 The appealee being acquited, the Appealant and Abettors shall bee punished. AB. Appeales 5. There shall bee no Essoine for the Appealant. AB. Essoine 8. — Appeales.

1.Ed.3.16. 1.Ed.4.2. 13 The order of Indictments taken in Shirifes Turnes, and the penalty for the infringing thereof. AB. Sherifes 12. — Shirifes.

6.Ed.1.5. 14 The Proces in an action of wast: And a Writ to inquire of wast. AB. Wast 3. — Wast.

15 An infant eloigned, may sue by Prochein Amy. AB. Age 3. — Enfant.

16 Prioritie of feoffement giueth title of Wardship. AB. Wards 14. — Wardship.

17 In what case Essoine de Malo lecti doth lye, and where not. AB. Essoine 6. — Essoine.

18 He that recouereth in debt, may sue execution by Fieri facias, or Elegit, AB. Execution 1. — Execution

19 The Ordinarie chargeable to pay debts, as executors, Ordinarie 1. — Ordinarie

20 The tenants answere in Writs of Cosenage, Aile, and Besaile. AB. Cosenage 1. &c. — Cosenage

6.E.1.4. 21 Cessauit by the chiefe Lord against his free-hold tenant. AB. Cessauit 2. — Cessauit.

22 In what case an action of wast may bee brought by one tenant in common, against another. AB. Wast 5. — wast.

23 Executors shall haue a Writ of account. AB. Executors 1. — Executors.

24 A Writ of Nusance of a House, Wall, or Market leuied, and alienedto another. AB. Nusance 1. By what Writ a Parson of a Church or his Successor may recouer his Common. And where the Iuris Vtrum is tryable. AB. Quod permittat 1. In the like cases, the like Writs be graunted. — Nusance.

25 Of what thing an assise of Nouel disseisin will lye, and against whom it is maintainable. A disseisor by pleading a false plea. Certificat of assise. Attachment in assise. AB. Assise 1.2.10.11. — Assise. Certificat.

20.H.3.3. 25.H.3.7. 26 Who shall bring a Writ of Redisseisin. And the punishment of the offen- — Redisseisin,

offendors therein. AB. Rediſſeiſin 1.3.

Eſſoine. 27 Eſſoine after Enqueſt: But none after day giuen Prece partium, AB. Eſſoine 4.

Eſſoine. 28 After apparance in certaine actions there ſhall bée no Eſſoine. AB. Eſſoine 3.

29 The Writ of Treſpas ad audiendum & terminandum ſhall not be granted but to the Juſtices of either Bench, or to the Juſtices in Eire. And a writ to determine Appeales, ſhall be graunted but in ſpeciall caſes. And leaſt the parties appealed or indited be long kept in priſon, they ſhall haue a writ of Odio & Atia. 9.H.3.26.

Odio & Atia. dio & Atia. CB.

I. of Niſi prius. 30 The authoritie of Juſtices of Niſi prius. Aſſiſes of Darreine preſentment, and Quare impedit ſhall bée determined in their proper Counties. AB. Niſi prius 1. 9.H.3.13.

Juries. A Jurie may giue their verdit at large. None ſhall be put in Aſſiſes or Juries, but which were ſummoned. AB. Iurors 21.32.

Exception. 31 An Exception to a plea ſealed by the Juſtices. AB. Exception 1.

Mortmaine. 32 Mortmaine by recouerie of land by default. AB. Mortmaine 5.

Croſſes. 33 Lands where croſſes be ſet by tenants in preiudice of their lands, ſhall be forfeited, as lands aliened in Mortmaine. CB.

Rape. 34 The penaltie, if a man doe rauiſh a woman, whether ſhe doth conſent, or not. AB. Rape 1. 6.R.2.6.

Elopement 3.Ed.1.13.

A Nunne. And the forfeiture if a woman doe elope with an aduouterer. AB. Dower 2. Hée that carrieth away a Nunne from her houſe, although ſhe conſent, ſhall be thrée yeres impriſoned, make ſatiſfaction to the houſe, and fine to the King at his pleaſure. CB.

Wards. 35 Rauiſhment of Ward: Communi Cuſtodia: Electione Cuſtodiæ. AB. Wards 5. 20.H.3.6.

Diſtreſſe. 36 A diſtreſſe taken vpon a ſute commenced by the procurement of others. AB. Repleuin 4.

Diſtreſſe. 37 No diſtreſſe ſhall be taken but by Bayliſes knowne and ſworne. AB. Diſtreſſe 9.

Iurors. 38 How many ſhall bée returned in Juries, or petit Aſſiſes, and of what age they ſhall be. AB. Iurors 2.

Execution of writs. 39 The manner to deliuer writs to the Shirife to be executed. The Shirife returneth a liberty where none is. A Precept deliuered to the Bayliſe of a Libertie. Returning of Iſſues. Reſiſtance of execution of Proces. AB. Returne &c. 1.2.3.4.5. 28.Ed.1.16. 2.Ed.3.5.

Women. 40 There ſhall be no delay of a womans ſute by the minoritie of the heire, which ought to warrant the land. AB. Women 16.

Ceſſauit. 41 A Contra formam collationis to recouer lands aliened, which were giuen in almes. And a Ceſſauit to recouer lands giuen in almes which be withdrawne. AB. Ceſſauit 3.

Fées. 42 The ſeuerall fées of the Kings Marſhals, Chamberlaines, Porters of the Juſtices in Eire, and Serieants bearing a verge before the Juſtices at Weſtminſter, hauing theſe offices in fée. CB.

Hoſpitalers Templers. 43 Hoſpitalers and Templers prohibited, that they draw no man into ſute before the Conſeruers of their priuiledges for any matter, the cogniſance whereof belongeth to the Kings Court. CB.

Fées. 44 The fées of Porters bearing Verges before the Juſtices. And of Chyrographers for making of a Chyrographe. AB. Chyrographer &c. 1. And of Clerkes writing originall and iudiciall writs, viz. 1.d. for a Writ. 2.H.4.8.

Execution. 45 The Proces of execution of things recorded within the yeare, or after the yeare. AB. Execution 2.

Appronemẽts 46 Lords may approue againſt their neighbours, leauing them ſufficient common 20.H.3.16, 3.Ed.6.3.

common, and paſſage. AB. Approuements 2. 3. 4. 6. Vſurpation of Common during the eſtate of particular tenants. AB. Common 1. — Common.

13.R.2.19. 47 A penaltie for taking of Salmons at certaine times of the yeare. AB. Fiſh 1. — Salmons.

48 In what caſes view of lands is grantable, in what not. AB. View 1. — View.

33.Ed.1. 49 The penaltie of buying of a Title of land depending in ſuite. AB. Maintenance 3. An action ſhall be maintained vpon the caſe, where remedie by the law faileth. — Champertie. Action on the caſe.

The Statute of Wincheſter made at Weſtminſter

8. die Octobris An. 13. Ed. 1. & An. Dom. 1285.

¶ 1 Freſh ſuite ſhall bee made after felons and robbers from towne to towne, and from countrey to countrey. AB. Huy and crie 1. — Freſh ſuite.

28.Ed.3.11. 27.El.13. 2 Enqueſts ſhall be taken to inquire of felons and robbers: and the countrey ſhall anſwer, if they be not taken. AB. Huy &c. 1. — Enqueſts.

3 This Act ſhall be reſpited vntill Eaſter nert.

4 At what time the gates of great townes ſhalbe ſhut. And at what houres the night watch ſhall begin and end. AB. Watch &c. 1. — Watch.

5 High-waies leading from one market towne to another, ſhall bee 200. foot broad. AB. High waies 18. — High waies.

6 Euery man ſhall haue armour in his houſe according to his abilitie, to keepe the peace. HP 4. & 5. P. and M. 2. Neither faires nor markets ſhalbe kept in Churchyards. AB. Faires &c. 10. — Armour. Faires.

13.Ed.1. ¶ 1 The Statute of Marchants made at Weſtminſter after Eaſter, An 13. Ed. 1. & An. Dom. 1285. The forme and execution of a Recognizance, being the remedie whereby Marchants ſhall recouer their debts. AB. Statutes 1. &c. This Statute ſhall extend to all the people of England and Ireland, ſauing to Iewes. The forme of the writ of execution of the Statute Marchant. And a ſeale ſhall be ſent vnto euery faire vnder the Kings ſeale by a Clerke ſworne, or the Gouernour of the faire. — Statute Marchant.

9.Ed.2. ¶ 1 The Statute of Circumſpectè agatis made Anno 13. Ed. 1. & Anno Dom. 1285. Certaine caſes wherein the Kings prohibition doth not lye. AB. Prohibition 2. — Prohibition.

¶ 1 The Statute of Weſtminſter 3. viz. of Quia emptores terrarū, made Anno 18. Ed. 1. & Anno Dom. 1290. The Feoffee ſhall hold his land of the chiefe Lord, and not of the Feoffor. But ſuch lands ſhall not come into Mortmaine. AB. Tenure 5. — Tenure.

¶ 1 The Statute of Quo Warranto made 18. Ed. 1. & Anno Dom. 1290. They which haue liberties by preſcription, ſhal enioy them accordingly, if they haue not abuſed them: And they which haue them by the Kings graunt, ſhall hold them by their Charter. The pleas of Quo Warranto ſhall be determined before the Iuſtices in Eire. CB. — Quo warr.

¶ 1 A new Statute of Quo Warranto made Anno 18. Ed. 1. & Anno Dom. 1290. They which haue liberties by preſcription, ſhall enioy them accordingly: And they which haue them by the Kings graunt, ſhall hold them by their Charter. — Quo warr.

¶ 1 The Statute of fines made Anno 18 Ed. 3. & Anno Dom. 1290. The maner of leuying of fines: what things bee requiſite to make them good, and who are bound by them. AB. Fines 2. And the ſaid fines ſhall conclude not onely parties and priuies thereunto, and their heires, but all other perſons being of full age out of priſon, of good memorie, and within the Realme, if they — Fines.

make not their claime within a yeare and a day. AL. 4 H.7.24.

Voucher. ¶ 1 The Statute of Vouchers made Anno 18.Ed.1.& An.Dom.1290. In plea of land the tenant voucheth, & the demaundant counterpleadeth, that the tenant nor his ancestors had euer any thing in the land &c. AB. Voucher 2.

Wast. ¶ 1 A Statute of Wast made Anno 20.Ed.1. & Anñ Dom.1292. Tenant for life committeth wast, and hee in the reuersion bringeth an Action of wast, and dieth before iudgement, his heire brought an Action for the same wast, and recouered. CB. 20.Ed.1.

Reseit ¶ 1 Statut de Defencione iuris made Anñ 20.Ed.1.& Anno Dom.1292. Where a stranger comming in by a collaterall title not party to the suite, shall be receiued. AB. Reseeit 2. 13.Ed.1.3.

Iurors ¶ 1 Statut de hijs qui ponendi sunt in Assisis, made An.21.Ed.1 & Anno Dom.1293. What freehold lands those Iurors ought to haue, which must passe in trials within the same Countie, & what they which must passe out of that Countie. AB. Iurors 10.

Hunters ¶ 1 Statut de Malefactoribus in Parcis made Anno 21. Ed. 1. & Anno Dom.1293. In what cases the killing of offendors in forrests, parkes, or warrens is punishable, in what not. AB. Forrests 4.

Consultation. ¶ 1 The Statute of Consultation made Anno 34.Ed.1.& Anno Dom. 1296. A Consultation shalbe granted, where, vpon the suite of a Prohibition the party can haue no remedie in the Kings court. AB. Prohibition 8.

A Confirmat. ¶ 1 A Statute made at London 10.die Octobris, Anno 25. Ed. 1. & Ann Dom.1297. A Confirmation of the great Charter, and of the Charter of the Forrest: and that the great Charter shall be allowed at the common Law: and that they shall be sent to all Cathedrall Churches, to all Sherifes and Cities, to be published to the people: and that all Bishops shall twice in the yeare pronounce sentence of Excommunication against all those that by word, deed, or counsell in any point shall breake or vndoe them. The Aides, Tares, and Prizes before granted to the King, shall bee no President, nor shall be drawne into a custome. The Kings graunt for him and his heires, that for no businesse he shall take any such Aides, Tares, or Prizes, but by common consent of all the Realme, and for the common profit thereof.

Statut. de finibus leuatis made Anno 27. Ed.1.

& Ann.Dom.1299.

Fines. ¶ 1 It shall be no exception to a fine, that the demandants, or plaintifes, or their Ancestors were alwaies seised of the land. AB. Fines 21. Fines shall be openly and solemnly read, and in the meane time all pleas shal cease two daies in the weeke. AL. 4.H.7.4.

Sheriffes. 2 A Sherife shall execute his warrant in leuying of Issues, & no more: and shall make Tallies of such mony as he or his officers haue receiued. AB. Shi. 39.

Mainprise. 3 Iustices of Assise shalbe also Iustices of Gaole deliuery, which shall punish Sherifes and others bailing offendors not baileable. AB. Mainprise 4.

Nisi prius. 4 Nisi prius shall be graunted before one of the Iustices of the court where the suit is commenced. AB. Nisi prius 2. 12.Ed.2.3. 2.E.3. 16.

Ad quod damnum. ¶ 1 Ordinatio de libertatibus perquirendis made Anno 27.Ed.1.& Ann. Dom.1299. In what cases the writ of Ad quod damnum is to be sued. AB. Ad quod damnum 1.

Dedimus potestatem A Commission may be graunted to receiue Atturneyes for such as be impleaded. AB. Atturney 2.

Wards. ¶ 1 The Statute of Wards and reliefe made An.28.Ed.1.& An.Dom. 1300. Who shall be in Ward, and pay relefe, and who not: and how many writs there be to recouer Wards. AB. Wards 16.

¶ 1 A

¶ 1 A Statute made Anno 28. Ed. 1. & Anno Dom. 1300. Touching persons appealed by Approuers. AB. Approuers 1. Approuers.

Articuli ſuper Chartas made at Weſt. Añ 28. Ed. 1. & *Ann. Dom. 1300.*

¶ 1 A Confirmation of the great Charter, and the Charter of the forreſt: The ſame ſhal be in euery part obſerued, & deliuered to euery Sheriſe to be read foure times in the yeare in their full Counties. Their Commiſſioners ſhall be choſen in euery County court, to enquire of, & punish ſuch of the ſame County as ſhall offend againſt any point of the ſaid Charters. CB. Confirmation.

4.Ed.3.4. 20.R.2.5. 2 No Purueiors ſhall take any prices, but the Kings, and they only for his houſe. They ſhall haue their warrant, and ſhew it. The penaltie if any take without warrant, or otherwiſe than his warrant. Purueiance for the Wardrobe. AB. Purueiors 3.4.11. Purueiors.

13.R.2.2. 33.H.8.12. 3 Of what things the Marſhall of the Kings houſe ſhal hold plea. AB. Marſhall 1. Which Coroners ſhall inquire of the death of a man ſlaine within the Verge. AB. Coroners 18. Marſhall.

9.H.3.11. 4 Common pleas ſhall not be holden in the Exchequer. AB. Courts 5. Cõmon pleas.

5 The Chancellor and Juſtices of the Kings Bench ſhal follow the King, ſo that he may alwaies haue ſome men learned in the Law nære him, to order ſuch matters as ſhall come to the Court. Counſellors.

6 No writ that concerneth the Common law, ſhall be awarded vnder any of the petite Seales. AB. Proces 4. Seales.

7 The Conſtable of the caſtle of Douer ſhal not hold plea within the caſtle gate, of any forraine matter which toucheth not the Caſtle, nor ſhall diſtraine the people of the Cinque-Ports to doe otherwiſe than their liberties will allow. HR. Douer.

8 The inhabitants of euery Countie ſhall haue choice of their Sherife, where the Shriualtie is not of fee. AL. 9.Ed.2. 14.Ed.3.7. Sherife.

34.Ed.3.4. 9 What ſort of people ſhall be returned vpon euery Jurie. AB. Iurors 1. Jurors.

10 The remedy againſt Conſpirators, falſe Informers, and Imbracers of Juries. AB. Conſpiracie 2. Conſpiracie.

33.Ed.1. 11 Nothing ſhall be taken to maintaine any matter depending in ſuit. AB. Maintenance 5. Champertie.

51.H.3. 12 What diſtreſſes ſhalbe taken for the Kings debt, & how it ſhall be vſed. AB. Accomptants &c. 52. Diſtreſſe 11. Diſtreſſe.

13 The Commons of the Shire ſhall chuſe ſuch Sherifes that ſhall not charge them, or place any officer for rewards or bribes, and which ſhall not lodge too often in one place, nor with poore perſons or men of Religion. CB. Sherifes.

14 Bayliwikes and Hundreds ſhall not be letten to fœre, whereby the people may be ouercharged with contribution to ſuch fermes. CB. Bailiwikes.

15 In Summons and Attachments in plea of land, the writs ſhall containe 15. daies. AB. Daies 6. Dayes.

13.Ed.1.39. 16 Such Execution ſhall be done of them that make falſe Returnes of writs, whereby right is deferred with the like paine, as is contained in the ſtatute of 13. Ed. 1. AB. Returne &c. 1. Falſe returns

7.R.2.6. 17 The Statute of Wincheſter ſhall be read foure times in the yeare, and put in Execution. CB. Statute Wincheſter.

36.Ed.3.13. 24.Ed.3.13. 18 An Eſcheator or Subeſcheator ſhall commit no waſt in wards lands. AB. Wards 23. Wards.

Liuerie. 19 In what case the owner shall haue his lands deliuered out of the Kings hands, with the issues. AB. Liuerie 11.

Gold. 20 Vessell of gold and siluer shall be allaied and touched. AB. Gold 9.

Prerogatiue All these things notwithstanding, the right and prerogatiue of the Crown shall be saued to the king in all things.

Amoueas manum. ¶ 1 Statũ de Escheatoribus made at Lincolne Octabis Hillarij, Anno 29. Ed. 1. & Anñ Dom. 1300. In what case an Amoueas manum with the issues

Reseiser. shall be graunted: and in what a Reseiser. AB. Liuerie 12.

Quo warr. ¶ 1 The new Statute of Quo Warranto made at Glouceſter Anno 30. Ed. 1. Touching claiming of Letes, Hundreds, Toll, and other liberties in Eire, and complaints made of Baylifes: and the forme of Writs deuised for the same. CB.

Protection. ¶ 1 Statuẽ de protectionibus made at Westminster 18. die Nouembris, Anno 33. Edw. 1. & Anñ Dom. 1304. A cause to repeale a protection of the Kings seruice. AB. Protection 4.

Conspirators ¶ 1 A definition of Conspirators made Anno 33. Edw. 1. & Anñ Dom.

Champertors 1304. AB. Conspiracie 1. And who be Champertors. AB. Maintenance 6.

Champertie. ¶ 1 The Statute of Champertie made at Westminster 18. die Septembris, Anñ 33. Ed. 1. & Anñ Dom. 1305. The punishment of such as commit Champertie. AB. Maintenance 5. 3. Ed. 1. 25. 13. Ed. 1. 49

Challenge. ¶ 1 An Ordinance for Enquests made at Westminster 18. die Septembris, Anno 33. Ed. 1. & Anñ Dom. 1305. He that challengeth a Jury or Juror for the King, shall shew his cause. AB. Challenge 5.

Forrest. ¶ 1 Ordinatio forestæ made Añ 33. Ed. 1. & Añ Do. 1305. They whose woods are disafforested, shall not haue common, or other easement within the Kings forrest. But if they will returne their woods into the forrest, they shall haue common and other easement, as they had before. EXP.

Measure. ¶ 1 An ordinance for measuring of land, made Añ 34. Ed. 1. & An. Dom. 1306. AB. Weights &c. 5.

Iointenancie. ¶ 1 The Statute de Coniunctim feoffatis made at West. 27. die Maij, Anñ 34. Ed. 1. & Anñ Dom. 1306. Iointenancie pleaded in abatement of a writ. AB. Iointenancie 1.

Inquisition. ¶ 1 Articles of Inquisition vpon the statute of Winchester made Tempore Ed. 1. An inquirie how the particular branches of the same Statute bee performed, and by whom broken.

Mortmaine. ¶ 1 A Statute of not amortizing lands made Tempore E. 1. A prohibition that lands be not amortized where there be Peſnes, vnleſſe the Religious doe shew to the King the same Peſnes assent by their letters patents vnder their seales. And that nothing shal passe where the donor doth not reserue something to himselfe. CB.

Purueiors. ¶ 1 A Statute made in the time of K. Ed. 1. whereby the King did graunt, that no Tallage or Aid should be taken or leuied by him or his heires, without the assent of the Lords and Commons: nor that any of his officers should take any goods of any persons without the owners consent. And the Kings pardon to some of his subiects. 25. Ed. 1.

Religious houses aliens. ¶ 1 A Statute de Asportatis Religiosorum made at Carlile, Anno 35. Edw. 1. & Anno Dom. 1307. No tare shall be sent or payed by any religious house to any superior out of England. No religious person shall goe to any visitation out of England. No religious house out of England shall set any tare or paine vpon any religious house in England, on paine to forfeit all that they may forfeit, saning to Religious houses Aliens their visitations in England. CB. 4. Ed. 3. 6.

¶ 1 Stat

¶ 1 Statũ Ne Rectores proſternant arbores in Cœmiterio, made Anñ 35. Ed. 1. & Anñ Dom. 1307. In what caſes trees may be cut downe in Churchyards. AB. Eccleſiaſticall &c. 34. Churchyards

¶ 1 A Statute made for knights Anno 1. Edw. 2. & Anno Dom. 1307. If any wil complaine in the Chancery becauſe he was diſtreined to take vpon him the order of a knight, & hath not twentie pound yearely in fee, or for terme of life: or that he is impleaded for all his land, or for part of the ſame, ſo that the reſidue be not ſufficient to the value of twenty pound: or that he is bound in certaine debts in the Exchequer, for a certaine ſumme to bee receiued yearely out of his lands, ſo that the reſidue doth not amount to the yerely value of rr. ℔. beſide the ſaid ſumme: or that he is not come to the age of rri. yeres: or that his land is holden in auncient demeſne of the Crowne of England as a Sokman, which muſt giue Tallage when the Kings demeſnes are taſked: Or that his lands are holden in Socage of other Mannors then of the Kings: Or that his lands be Burgage lands, though they doe amount to the yearely value of twentie pound or more: Or that he hath holden his lands in his hands but a ſmall time: Or that he is of great age, or hath defects in his body, or incureable diſeaſe, or hath charge of children, or of ſuites, or do alleage ſuch neceſſarie excuſes, and that he ſhall proue the ſame by Enqueſt, he ſhall reſort to K. T. and A. B. and make a reaſonable fine. Quære whether this be a Statute in force, or was made onely for that preſent time. Knights.

¶ 1 Statũ de frangentibus priſonam made Anno 1. Ed. 2. & Anno Dom. 1307. In what caſe it is felonie to breake priſon. AB. Priſon 5. Breaking of priſon.

Articuli Cleri, made at Lincolne Anno 9. *Edw. 2. & Anno Dom. 1315.*

1 NO prohibition ſhall be graunted, where Tithes, Oblations, Obuencions, or Mortuaries be demaunded, but where mony for them. AB. Prohibition 1. Prohibition.

2 Debate vpon the right of Tithes exceeding the fourth part. And enioyning of penance pecuniarie or corporall. AB. Prohibition 2. 3. 4. Penance.

3 Laying violent hands vpon a Clerke. Excommunication for penance corporall. AB. Prohibition 3. Excommunication.

4 Prelates may correct for defamation. AB. Prohibition 3. Defamation.

5 No prohibition where Tithe is demaunded of a new Mill. AB. Prohibition 6. Mill.

6 A ſuite for one offence proſecuted in both courts. AB. Prohibition 3. Double ſute.

7 In what onely caſe the Kings letter to abſolue an excommunicate ſhall be ſent. AB. Excommunication 10. Abſolution.

8 Clerkes in the Kings ſeruice ſhall be diſcharged of their Reſidence, but ſhall be corrected by their Ordinaries. AB. Eccleſiaſticall &c. 23. Reſidence.

9 Diſtreſſes ſhall not be taken in the high way, or the auncient fees of the Church. AB. Diſtreſſe 3. Diſtreſſe.

10 They that abiure the Realme, ſo long as they be in the common way, or in the Church, ſhall be in peace. HP. 1. Iac. 25. Abiured.

1. Ed. 3. 10. 11 Religious houſes ſhall not be charged by compulſion with corrodies, pencions, reſort, or taking of their horſes or carts. CB. Monaſteries.

12 A Clerke excommunicate may be taken out of the parish where he dwelleth. AB. Excommunication 11. Excommunication.

Presentation. 13 A spirituall Iudge shall haue the examination of a Parson presented to a Benefice. AB. Ecclesiasticall &c. 3.

Election. 14 There shall be frée election of dignities of the Church. AB. Corporations 29. 3.Ed.1.5.

Abiuration. 15 A Clerke flying to the Church for felonie, if he affirme himselfe to be a Clerke, shall not be compelled to abiure the Realme, but shall enioy the priuiledge of the Church. AL. 28.H.8.1.

Priuiledge. 16 The priuiledge of the Church béing demaunded in due forme by the Ordinarie, shall not be denied to the Appellor as to a Clerke that hath confessed his theft, robberie, murther, &c. AL. 28.H.8.1.

Sherifes. ¶ 1 The Statute of Sheriffes made at Lincolne Anno 9.Edw.2.& Anñ Dom.1315. Sheriffes shall bée assigned by the Chauncellor, Treasurer, Barons of the Exchequer, and Iustices. A Sherife must haue sufficient in the same Countie, and not be Steward or Baylife to any Lord, and be out of seruice. And Bailifes of hundreds shall haue sufficient within the same shire. AB. Sherifes 1.2.25. 14.Ed.3.7. 4.Ed.3.9. 5.Ed.3.4.

Gauelet. ¶ 1 The Statute of Gauelet in London made Anno 10. Ed.2. & Anno Dom.1316. Lords of Rents in London shal recouer them by a writ of Gauelet of customes and seruices, and in default thereof the lands in demesne in fée,

Forchoc. which then shall be called Forchoc. Q. for the vse.

The Statute of Yorke made 20. die Octobris,

Anno 12. Edw.2. & Anno Dom.1318.

Atturney. ¶ 1 Tenants in Assise of Nouel disseisin may make Atturneyes. AB. Attorneies 3.

Witnesse. 2 Proces against the witnesses of a déed denied. AB. Witnesse 2.

Nisi prius. 3 Enquests and Iuries touching pleas of land, shal be taken by Nisi prius. AB. Nisi prius 2. 27.Ed.1.4. 2.Ed.3.16.

Nisi prius. 4 Iustices of Nisi prius shall record Nonsuites, defaults, &c. whereupon iudgement shall be giuen. AB. Nisi prius 3.

Returnes. 5 An Indenture shalbe made betwéene the Sherife and Bailife of Franchise of euery returne, and they shall set their names to the returnes. AB. Returne &c. 6.7.

Victuall. 6 No officer of a Citie or Borough shall sell wine or victuals during his office. AB. Victuall 9. 6.R.2.9. 3.H.8.8.

Essoines. ¶ 1 The Statute of Essoines made Anñ 12. Ed.2. & Anñ Dom.1318. Certaine cases wherein Essoines do not lie. AB. Essoines 9.

Fines. ¶ 1 The Statute of Carlile made Anno 15.Edw.2. & Anñ Dom.1322. The Conusor in a fine shall come personally before the Iustices. AB. Fines 1.

Prærogatiua regis, made Anno 17.Ed.2.

& Anno Dom.1324.

Wardship. ¶ 1 The Kings Prerogatiue in the wardship of his tenants heire, which holdeth of him in chiefe. AB. Prerog.1.

Mariage. 2 His Prerogatiue in the mariage of his tenants heire. AB. Prerog.2.

Primer seisin. 3 His Prerogatiue in the primer seisin of his tenants land. AB. Pr.3. 52.H.3.16.

Widowes. 4 His Prerogatiue in assignment of dower to his widowes. AB. Pr.4.

Women. 5 His Prerogatiue in the mariage of his women tenants. AB. Pr.5.

Coparceners. 6 His Prerogatiue in dividing of Coparceners lands holden of him. AB. Prerog.6.

7 His

3.Ed.3.12 7 His Prerogatiue that lands holden of him in chiefe, may not be aliened without his licence. AB. Prerogatiue 7. Alienation.

8 His Prerogatiue, that they which hold lands of him by Sericantie, ſhall pay a fine at the alienation of them. AB. Pr. 8. Sericantie.

9 His Prerogatiue, that lapſe of ſixe monethes ſhall not preiudice his preſentation. AB. Pr. 9. Lapſe.

10 His Prerogatiue in the cuſtodie of lands of Idcots. AB. Pr. 10. Idcot.

11 His Prerogatiue in the preſeruation of the lands of Lunatikes. AB. Pr. 11. Lunatike.

12 His Prerogatiue in hauing the wreck of the ſea, Whales, and Sturgeons. AB. Pr. 12. Wrecke.

13 His Prerogatiue in enioying his tenants lands, which intrudeth vpon his poſſeſſion before homage done, and ſeiſin deliuered. AB. Pr. 13. Intruſion.

14 His Prerogatiue in hauing the Eſcheat of Biſhops freholders attainted of felony, during the vacation. AB. Pr. 14. Eſchete.

15 His Prerogatiue that Knights fees, Aduowſons, and Dowers doe not paſſe from him without ſpeciall words. AB. Pr. 15. Knights fees.

16 His Prerogatiue in hauing the goods and lands of felons attainted. AB. Pr. 16. Felons.

¶ 1 The manner of doing of homage and fealtie, made Anno 17. Ed. 2. & Anñ Dom. 1324. AB. Homage &c. 2. 3. 4. Homage.

¶ 1 The Statute de viſu Franci plegij, made Anno 18. Ed. 2. 1325. Of what things Stewards in their Leets ſhall enquire. AB. Leets 1. Leets.

¶ 1 A Statute of Priſes made Anno 28. Ed. 1. and confirmed by King Edward the ſecond. Purueyors ſhall agree for things taken, ſhall haue a commiſſion, and ſhew it, and ſhall take nothing without warrant. AB. Purueiors 3. 4. Priſes.

¶ 1 Articles againſt the kings prohibition. In which caſes the kings prohibition will lye, in which not. AB. Prohibition 1. 2. 3. 4. Prohibition.

An Ordinance for Bakers, Brewers, and other Victualers, *and for Elles, Buſhels, and Foreſtallers.*

¶ 1 The Aſſiſe of bread ſhall not be changed, but as corne riſeth or falleth, 6. d. in the Quarter. AB. Weights 15. Aſſiſe.

2 For what offence a Baker ſhal be amerced, and for what ſet on the Pillorie. AB. Weights 15. Baker.

3 Euerie Pillorie or Stretch-necke ſhall bee of conuenient ſtrength, that the offender may be puniſhed without perill of his bodie. AB. Weights 14. Pillorie.

4 How Toll at a Mill ſhall be taken. AB. 2. Toile.

7.Ed.6.5. 5.Eliz.2. 1.Iac.25. 5 The price of Wine ſhall bee twelue pence a galon: And if the Tauerners exceede that price, their doores ſhall bee ſhut vp by the Mayor and Bailifes. Wine.

6 The Aſſiſe of Ale ſhall be according to the price of Corne, whereof the Mault is made. AB. Weights 15. Ale.

7 The puniſhment of a Butcher that buyeth ſwines fleſh meſled, or dead of the Murren: or buyeth it of Iewes, and ſelleth it to Chriſtians. AB. Butchers 4. Butchers.

8 Buſhels, Galons, and Elles ſhall bee ſigned with the Kings ſeale. And hee that doth buy or ſell by other meaſure, ſhall be grieuouſly amerced. AL. 11. H. 7. 4. Meaſures.

9 The

Meaſures. 9 The Standard, Buſhels and Elles, ſhal be kept by the Maior, Bailifs, and ſire ſworne men. AL. 11. H. 7. 4. No graine ſhal be ſold by the heape or cantell, but Otes, Malt, and Meale. CB.

Forestaller. 10 No foreſtaller ſhall bee ſuffered to dwell in any towne. AB. Foreſtallers &c. 1.

Measure. ¶ 1 The content or meaſure of a Buſhell being the 8. part of a Quarter. AB. Weights 2.

Templers. ¶ 1 Stat. de terris Templariorum, made Anno 17. E. 2. Becauſe the militarie order of the brethren of the Templers is ſuppreſſed, whoſe lands were giuen vnto them for the defence of Chriſtians, and the holy Land, againſt Pagans and Saracenes, and other enemies of Chriſt, and Chriſtians, and the Vniuerſall holy Church, It is enacted by Parliament for law for euer to endure, that all their lands ſhall be aſſigned and go to the order of the Prior brethren and their ſucceſſors of S. Johns of Hieruſalem, which likewiſe is canonized, inſtituted, and prouided for the defence of Chriſtians and the holy Church, To be holden of the King and other Lords of the Fée, by the ſame ſeruices, that the brethren of the militarie order of the Templers held them. Sauing to all others their Actions, Rents, Seruices &c. Anñ 32. H. 8. 24. Diſſolued.

S. Johns of Hieruſalem.

Statutes made at Weſtminſter 7. die Martij, Anno 1. *E. 3. & Anno Dom. 1327.*

Purſute of K. Edw. 2. 1 NOne ſhall be impeached in perſon or goods, that came out of Fraunce with the King and Quéene Iſabell his mother, in purſute of King Edward the ſecond, his father, who was taken and put in ward, and yet there remaineth: Or for the purſute of any other with him, or taking their bodies, or goods, or the death of them. But this ſhall not extend vnto other offenders. EXP.

Hugh Spenser. 2 A confirmation of the exile of Hugh Spencer the father, and Hugh Spencer the ſonne. EXP.

Aſſurances by dureſſe. 3 Fines leuied to the ſaid Spencers, or other Rebels, Lands ſold, and Recogniſance acknowledged vnto them by force and dureſſe, ſhall be reuerſed by Writ awarded out of the Chauncerie, and returned into the K. Bench. And the Executors of them whoſe perſons were ſlain, and goods ſpoiled in the time of that tumult, ſhall haue their actions to recouer the value of the ſame goods againſt the Executors of them which made the ſaid ſpoyle. EXP.

Auerrement. 4 Triall of an Auerrement in a Writ of Falſe iudgement. AB. Falſe &c. 2.

Returne of Bailifes. 5 Auerrement againſt the returne of Baylifes of Fraunchiſes. AB. Returne &c. 8.

Attaint. 6 Attaint will lye as well vpon the principall, as vpon dammages in an action of Treſpaſſe. AB. Attaint 12.

Priſoners Appruers. 7 The Iuſtices of either Bench, of Aſſiſe, and Gaole deliuerie, ſhall heare and determine the offences of thoſe Shirifes, Gaolers, and Kéepers of priſon, which by dureſſe do cauſe a priſoner to become an appruer. 14. Ed. 3. 10

Forrests. 8 How he ſhal be vſed which is taken in the Forreſt for any offence of hert or veniſon. AB. Forreſts 2. If the chiefe Warden of the Forreſt will not baile him, he ſhall haue a Writ out of the Chauncerie, directed to the Shirife, to attach the ſaid Warden to be before the King. And the Shirife in the preſence of the Verderors ſhall baile the ſaid offender. AL. 7. R. 2. 4. 9. H. 3. 16.

Other

Other Statutes made at Weſtminſter Anno 1.
E. 3. & Anno Dom. 1327.

¶ 1 The great Charter, and the Charter of the Foreſt confirmed. The old Perambulations of the Foreſt, made in the time of K. Edward the firſt, ſhall be ridden and bounded. And a Charter ſhal be made to euerie ſhire where it was ridden and bounded, and where it was not bounded, it ſhall be by good men, and a Charter ſhall be made. — Confirmation Foreſts.

2 How euery man may vſe his Woods within the Foreſt. AB. Woods 23. Biſhops Temporalties with their goods and chattels ſhall not bee ſeiſed into the kings hands without cauſe, as they were in the time of King Edward the ſecond. EXP. — Woods. Temporalties.

3 Iſſues and Amerciaments pardoned by King Edw. the ſecond, and yet by him leuied, ſhalbe releaſed. And alſo the Jewes debts. — Debts pardoned.

4 The Kings debts to the ſumme of three hundred pounds, ſhall be ordered and determined according to the eſtate of the debtors, ſauing their countenance: And other debts ſhall be leuied by the debtors othe, ſauing his countenance. EXP. — Kings debt.

5 No man ſhall be compelled to go to warre out of the Shire where hee dwelleth, but where need requireth, and ſodaine comming of forrein enemies, into the Realme. Q. for the vſe. — 25.Ed.3.8 4.H.4.13. Warre.

6 When the Commons do graunt aid of their goods to the king, they ſhall be tared as they had wont to be, and no otherwiſe. — 9.H.4.7. Taxes.

7 Wages ſhall be giuen by the King, and not by the Commons, to Prepareres, Conueyors, and Souldiers, being in making readie toward ſeruice in Warre. AB. Warre 1. — Warre.

8 Nothing ſhall be taken by Shirifes, naming themſelues the Kings Approuers for Beaupleader. EXP. — 3.Ed.1.8. 32.H.3.11. Beaupleader.

9 Cities, Boroughes, and Franchiſed Townes, ſhall enioy their Cuſtomes. — Franchiſes.

10 There ſhall be no more graunt of Corodies by Biſhops, Abbots, Priors, &c. at the kings requeſt. CB. — 9.Ed.2.11. Corodies.

11 A Prohibition againſt them, who in the ſpiritual Court ſue their indictors. AB. Prohibition 7. — Prohibition.

12 For lands holden of the King in chiefe, being alienied without licence, there ſhall be a fine taken, but no forfeiture. AB. Prerog. 8. — Alienation without licence.

13 Lands holden of the King, as of ſome honour, bee not holden in chiefe. AB. Prerog. 8. Tenures 1. — 9.H.3.31. 1.Ed.6.4. T. in chiefe.

14 None ſhall comunit maintenance by the ſending of letters, or otherwiſe to the hinderance of the common law. AB. Maintenance 1. — 20.E.3.4. 1.R.2.5. Maintenance

15 No man ſhall be bound by writing to come armed to the King when he is ſent for. CB. — Armed.

16 Juſtices of peace ſhal be appointed in euerie Countie. AB. Iuſtices &c. 1 — 18.E.3.2. Juſtices.

17 Indictments in Shirifes Turnes ſhall bee by Roll indented. AB. Shirifes 12. — 34.E.3.1 Indictments.

Statutes made at Northampton tribus Septimanis Paſchæ,
An. 2. Ed. 3. & An. Dom. 1328.

¶ 1 The great Charter, and the Charter of the foreſt ſhall be obſerued in all points. — Confirmation

Pardon. 2 Of what offences Pardon may be graunted. AB. Pardon 1. Who shal be Iustices of Assise, Oier determiner, and Gaole deliuerie. 6.Ed.1.9. 4.Ed.3.2.

Armed. 3 No man shall come before the Iustices, or go or ride armed. AB. Armour 1. 7.R.2.13. 20.R.2.1.

Shirifes. 4 A confirmation of the Statute of Lincolne, concerning the sufficiency of Shirifes, Hundredors, and Baylifes. AB. Shirifes 1.25. 9.Ed.2. 4.Ed.3.9.

Writs. 5 The manner how Writs shal be deliuered to the Shirife to be executed. AB. Returne &c.1. 5.Ed.3.5. 13.Ed.1.39.

The peace. 6 A Confirmation of the Statute of Winchester. Iustices of peace shall haue power to punish the disobeyers and resisters of the peace. AB. Iustices of peace 18. 18.Ed.3.2. 34.Ed.3.1.

Commissions. 7 Commissions shall be granted to great men of the Realme, some of the Iustices of the one Bench, and the other, and other learned men in the law, to heare and determine felonies, oppressions, and diuers other offences past. EXP.

Iustice. 8 No commandement vnder the great or little seale, shall disturbe or delay Iustice. AB. Iustice 1. 11.R.2.10.

Staples. 9 All Staples shall cease, and all Marchants may come and goe with their Marchandize. AB. Marchants 1.

Pardon. 10 A Pardon for all fines for writs, vntill the 20. yeare of King Edward the first. EXP.

Adiournment. 11 The common Bench shall not bee remooued without warning by Adiournement. AB. Adiournment 1.

Hundreds. 12 Hundreds and Wapentakes shall not be let to ferme by the King to others, but shall bee annexed to the Counties, and not hereafter seuered from them.

Proces. 13 Like Proces shall be made of Trespas done in the time of K. Ed. the 2. as in the time of the King that now is. EXP.

Clothes. 14 The measuring, assising, and marking of cloth of Ray. AB. Draperie 1. 7.H.4.10.

Faires. 15 No man shall keepe a Faire longer than he ought to do. AB. Faires 1. 13.H.4.4.

Nisi prius. 16 A Nisi prius may be graunted as well at the tenants suit, as at the demaundants. AB. Nisi prius 2. 5.Ed.3.5. 27 Ed.1.4

Deceit. 17 A writ of Deceit shal be maintenable in case of garnishment, touching plea of land. AB. Deceit 2. 12.Ed.2.3

Statutes made at Westminster 27. die Nouembris, *Anno 4. Edw. 3. & Anno Domini* 1330.

Confirmation ¶ 1 The great Charter, the Charter of the Forrest, and al other statutes shall be obserued.

Iustices. 2 The authority of Iustices of Assise, Gaole deliuerie, and of the peace. AB. Iustices of Assise &c. 3.

Purueyors. 3 There shall be no Purueyance but for the King, the Quéene, and their children. There shall be an appraisement of things taken. And by what measure Purueyors shall take. AB. Purueyors 16.17.

Purueiors. 4 A Confirmation of the statute made 28. Ed. 1.2. Touching Purueyors. AB. Purueyors 3.4.11.

Pardon. 5 The Kings Pardon of certaine duties granted to him by some Knights, Citizens, and Burgesses. EXP.

Religious. 6 The Statute made at Carliel Anno 35. Ed. 1. Touching religious persons, shall be obserued. CB.

7 The

7 Executors shall haue an action of Trespas for a wrong done to their Testator. AB. Executors 1. Executors.

8 At Douer, and all other passages, men shall pay for their Fares as they had wont to do. CB. Passages.

9.Ed.2. 5.Ed.3.4. 9 No Shirife, Bailife of Hundred, Wapentake, or Franchise, nor vnder-Escheator shall be, except they haue lands sufficient in the same places, to answer the king and his people. AB. Shirifes 1. Shirife.

10 Shirifes and Gaolers shall receiue felons, without taking any thing, therefore. AB. Prisoners 6. Gaolers.

11 Iustices of the one Bench, and the other, and Iustices of Assise, and Nisi prius, shall enquire of, heare, and determine of Maintainers, Bearers, Conspirators, and committers of Champertie. And that which cannot be determined before the Iustices vpon the Nisi prius, shall bee adiourned into the Bench whereof they be Iustices, and there determined. AB. Iustices of both Benches 3. Maintenance Adiournment.

12 Wine shall be sold at reasonable prices, regarding the price it is at in the port from whence it came, & the expence in cariage. AL 28.H.8.14. Wines shall be assaied twice in the yere by the Lords or chiefe Officers of the towns, and the corrupt shall be poured out, and the vessels broken. AB. Wines 12. Wines.

13 A Confirmation of the Statute made Anno 2.Ed.3.2. touching Pardons. Pardons.

36.Ed.3.10. 14 A Parliament shall be holden once euerie yeare. AB. Parliament 1. Parliament.

15 Shirifes shall let their Hundreds and Wapentakes for the old ferme, and not aboue. And the Iustices assigned shall enquire of the offendors, and punish them. AL.4.H.4.5. & 23.H.6.10. Hundreds.

Statutes made at Westm. Crastino Michaelis, Anno 5. *Ed.* 3. & *Anno Dom.* 1331.

¶ 1 The great Charter, and the Charter of the Forrest, shall bee maintained. Charter.

2 Things purueyed for the Kings house shall bee prayed by the Constables and foure men of the same Towne, and Tallies shall be made thereof. AB. Purueyors 17. Purueyors.

10.Ed.3.3. Of what people Enquests in the Marshals Court shall bee taken. And where Errour committed there shall bee redressed. AB. Marshall 4.5. Marshall.

3 A Confirmation of the Statute of Carliel, made Anno 35. Ed.1. Touching religious houses. CB. Monasteries.

4.Ed.2. 4.Ed.3.9. 4 None shall be Shirife, Bailife of Hundred, or vnder Escheator, vnlesse he hath sufficient land in the same Countie. AB. Shirife 1. Shirife.

2.Ed.3.15. 5 The forfeiture, if any do sell wares at a Faire after it is ended. AB. Faires 11. Faires.

6 Nisi prius shall bee graunted in Attaint, but no Essoine nor Protection. Fiue dayes in the yere shalbe giuen before the Iustices of the common bench. AB. Attaint 12. Attaint.

7 Attaint shall be graunted in trespas, if the damage passe fortie shillings. AL.28.E.3.8. Attaint.

8 The Marshals of the Kings Bench shall not baile felons. AB. Mainprise 5. Mainprise.

9 No man shall bee attached, nor forejudged of life, limbe, lands, or goods, against the forme of the great Charter, and the law of the land. AB. Accusation 1. Iustice 1. Iustice.

10 The

Ambidexter. 10 The punishment of a Iuror that is Ambidexter, and taketh of the one part and the other, to giue his verdict. AB. Iurors 6.

Indictments. 11 Processe against those which be impleaded, endited, or outlawed in one Countie, and do remaine in another. AB. Indictments 2.

Outlawrie. 12 What is requisite to be donc to haue their pardons allowed, which bee outlawed. AB. Exigent 2.3.

Outlawrie. 13 What is requisite to be done where a man will auoid an Outlawry by imprisonment. AB. Exigent 4.

Suspected persons. 14 Night-walkers and suspected persons shal be arrested, and safely kept, vntill they bee deliuered by the Iustices of Gaole Deliuerie. AB. Felonie 39.

Statutes made at Yorke Crastino Ascensionis, Anno 9. *Ed.* 3. & *Anno Dom.* 1335.

Marchants Aliens. ¶ 1 Marchants strangers may buy and sel within this Realme without disturbance. And what punishment shall be inflicted vpon them which do molest them. AB. Marchants 1. 25.Ed.3.2. 11.R.2.7. 16.R.2.1.

Non pleuin. 2 No man shall lose his land because of Non pleuin. CB.

Fourcher. 3 In a writ of debt brought against diuers executors, they shall not fourch by Essoine. AB. Executors 4.

Triall. 4 Triall of a Deed dated, where the Kings Writ runneth not. AB. Triall 9.

Records. 5 Iustices of Assise, Gaole deliuerie, Oyer and Terminer, shall send all their Records and Proces determined, and put in execution to the Exchequer at Michaelmas euerie yeare once: so that they reserue the Estretes of them, to send to the Exchequer. And the Treasurer and Chamberlaines seeing their Commissions, shall receiue the same Records and Processes. Quære for the vse.

The Statutes of money made at Yorke Crastino Ascensionis, *Anno 9. Edward. 3. & Anno Domini* 1335.

Gold and siluer. ¶ 1 No man shall carrie or send gold or siluer out of the Realm, without the Kings licence. AB. Money 3. 5.R.2.2. 2.H.4.5.

False money. 2 No false money nor counterfeit sterling shall be brought into the realme vpon paine of forfeiture thereof. But all siluer being not false, may be brought to the Exchangers.

Melting. 3 No sterling, halfepeny, farthing &c. shall be molten to make vessell of. AB. Money 7. 17.R.2.1.

Black money. 4 All blacke money shall be excluded, and none shall be currant. CB.

Forfeitures. 5 Whosoeuer will sue for any of the forfeitures aforesaid, shall haue the fourth part.

No fraud. 6 Mayors and Bailifes in euery port shall take an othe of Marchants and Maisters of ships, to do nothing to defraud this ordinance. CB.

Exchanges. 7 Tables of Exchanges shalbe where the King wil make exchanges. And the Wardens shall make them by the testimonie of Controulers. CB.

Pilgrim. 8 No Pilgrim shall passe out of the Realme but at Douer. CB. 13.R.2.20.

Search. 9 Search shall be made by sworne men for money or plate carried forth of the Realme, and for false money brought in. 4.Ed.4.10.

10 The

10 The Searchers shall haue the fourth peny of that which they find: and for releasing or dispensing with any, shall forfeit all their goods. Searchers.

11 Hostelers in euery Port shall bee sworne to search their guests, as the Searchers do, and they shall haue the fourth part. And Searchers may search their Hosteries. And the Hostelers found in default, shall forfeit all their goods, &c. Hostelers.

Statutes made at Westminster Anno 10. Edw. 3. & *Anno Domini* 1336.

¶ 1 The great Charter, the Charter of the Forest, and all former Statutes, shall be obserued. Confirmation

2 No Pardon shall be graunted against the forme of the Statute made at Northhampton. Anno 2. E. 3. 2. Pardon.

3 He that hath a Pardon shall find suerties for his good abearing. AB. Pardon 5. Pardon.

Statutes of Purueyors made at Westminster Anno *10. Ed. 3. & Anno Domini 1336.*

5. Ed. 3. 2. 25. Ed. 3. 1. 36. Ed. 3. 2. ¶ 1 Things prouided for the Kings, the Quéns, and their children's houses shall be praised by the Constables and foure men of the towne. And tallies shall be made thereof. AB. Purueyors 17. Purueiors.

5. Ed. 3. 2. 2 Of what people Enquests in the Marshals Court of the K. house shalbe taken. AB. Marshall 4. Marshall.

5. Ed. 3. 2. 3 Error in the Marshals Court shall be reuersed in the Kings Bench. AB. Marshall 5. Marshall.

14. E. 3. 19. 4 The Shirifs shall make Purueiance for the K. horses in those Counties where they be. AB. Purueyances 10. But this is holden for no Statute, as it appeareth by the Roll. K. horses.

5 Certaine persons shall be appointed to heare and determine all the offences done by the keepers of the Kings horses. K. horses.

Statutes made at Westminster 27. die Septembris, *Anno* 11. *Edward.* 3. *& Anno Domini* 1337.

¶ 1 No person vpon paine of death shall carrie Woll out of the Realme, vntill it be otherwise ordained by the King and his Counsell. Woll.

2 No person of England, Ireland, Wales, nor vnder the Kings power in Scotland (except the King, the Quéne, and their children) shall weare any cloth, other then is made in England, Ireland, Wales, or Scotland vnder the Kings power, vpon paine of forfeiture of the same, and to bee punished at the Kings pleasure. HP. 1. Iac. 25. In the said lands a man may make cloth as long and as short as he will. HP. 5. Ed. 6. 6. Forrein cloth

4. Ed. 4. 1. 3 No cloth wrought beyond the sea shall bee brought into England, Ireland, Wales, Scotland, &c. AB. Draperie 101. Cloth.

4 If any person of England, Ireland, Wales, or the Kings dominions of Scotland, shall weare any Furres (except the King, Queene, their children, Earls, Barons, Knights, & people of holy Church, which may dispend 100. *l.* yearely by their benefices) he shall forfeit the same, and bee punished at the K. pleasure. HP. 24. H. 8. 13. wearing Furres.

Clothwoꝛkers. 5 Clothwoꝛkers may come into England, Ireland, Wales, and Scotland to dwell, and ſhall haue ſufficient Franchiſes. EXP.

Statutes made at Weſtminſter die Martij, Anno 14.

Edw. 3. & Anno 1. of his raigne of France, & Anno Dom. 1340.

Confirmation ¶ 1 A Confirmation of the Liberties of holy Church, of the great Charter, and the Charter of the Foꝛreſt. London and all other Cities & Boꝛoughes ſhall haue their Franchiſes and Cuſtomes, which they haue reaſonably had, and vſed.

Pardon. 2 3 The Kings pardon of diuers foꝛfeitures, accounts, debts, arrerages, &c. due vntill the tenth yeare of his raigne. EXP.

Engliſchere. 4 Pꝛeſentment of Engliſchere ſhalbe clærely extirpate. EXP.

Iudgements. 5 Delayes of iudgements in other courts ſhall be decided in Parliament. AB. Parliament 13.

Recoꝛd. 6 A Recoꝛd which is defectiue by miſpꝛiſion of a Clerke, ſhall be amended. AB. Records 1. 9.H.5.4.

Shiriſes. 7 No Shiriſe ſhall tarry in his office aboue one yeare. AP. Shiriſes 4. And then the Chauncelloꝛ, Treaſurer, and chiefe Baron of the Exchequer, taking to them both the chiefe Iuſtices, the moꝛrow after all Soules ſhall oꝛdaine another in his place. 42.Ed.3.9. 23.H.6.8. 9.Ed.2.1.

Eſcheatoꝛs. 8 There ſhall be moꝛe Eſcheatoꝛs then of late haue bæne, viz. one on this ſide Trent, and another beyond, who ſhall be choſen as is afoꝛeſaid of Shiriſs. An Eſcheatoꝛ ſhall continue but one yere in his office. AB. Eſcheators 8, A Coroner ſhall haue ſufficient land. AB. Coroners 1. 1.H.8.8.

Coꝛoner.

Shiriſes. 9 Shiriſs ſhall hold Hundꝛeds and Wapentakes in their owne hands, oꝛ let them vpon the old rent. There ſhall bee but one Baily errant in one countie. &c.

Baily errant.

Pꝛiſons. 10 Shiriſes ſhall haue the kæping of Gaoles, and put in ſych kæpers foꝛ whom they will anſwere. A Pꝛiſoner by dures becommeth an appꝛeuer. AB. Priſon 2. 19.H.7.10 1.Ed.3.7.

Cl. of ſtatutes 11 A Clerke of the Statutes ſhal haue ſufficient, and be reſident vpon his office. AP. Statutes &c. 2.

Weights and meaſures. 12 There ſhall bæ one Weight and one Meaſure thꝛough the Realme. AB. Weights 1. Standeꝛds of Buſhels, Weights, and Gallons, ſhall bæ ſent into euery countie: and certaine ſhall bæ appointed to ſuruey that all weights and meaſures be accoꝛding to the ſaid Standeꝛds. AL. 11.H.7.4. The Clerke of the Market ſhall doe his office. And the Loꝛds of Franchiſes ſhall enioy them. 9.H.3.26.

Eſcheatoꝛs. Wards lands. 13 Eſcheatoꝛs ſhall make no waſt in Wards lands. AP. Wards 23. The next of kin to whom the lands cannot deſcend, may take of the King in ferme his Wards lands, vntill his full age, yælding the rent. AL. 32.H.8.46. 28.E.1.18. 36.E.3.13.

Search. 14 A man ſhall haue but foure Wꝛits of Search foꝛ the King. AB. Aid of the King 3.

Pardon. 15 No pardon foꝛ felonie ſhall be graunted, but where the king may do it ſauing his othe. AB. Pardon 1. 2.Ed.3.2

Niſi pꝛius. 16 Niſi prius may be graunted as wel befoꝛe any Iuſtice of another court, as of the ſame court where the ſuit dependeth, and befoꝛe the Kings ſeꝛieant: and they may giue their iudgements vpon verdicts in Aſſiſe of Darreine preſentment, and Quare impedit. AB. Niſi prius 2.

17 A Iuris vtrum and other writs maintenable for a Parson or Vicar, for lands giuen to a Vicarage. AB. Eccleſiaſticall 46. Iuris vtrum.

18 If the tenant wil vouch to warranty a dead man, the demandant may auerre that he is dead, &c. AB. Voucher 5. Voucher.

19 Purueyance for the kings houſe when he paſſeth through the country for the kings horſes and dogges, and for his warres, and caſtles, ſhal be by the owners good will. AB. Purueyors 5.10.15. Purueyors.

20 A Subſidie graunted to the King in reſpect of his warres in Scotland, Fraunce, and Gaſcoine, of the ninth Lambe, the ninth Fleece, and the ninth Sheafe, to be taken by two yeares. And of Cities and Boroughes, the ninth part of their goods. And of Marchants forreiners, and of them that dwell in forreſts and walls, and liue not of their gains, the fiftenth part of their goods. But the poore boriall people, and they which liue by their labour, ſhall not be charged. EP. A ſubſidie.

21 A Subſide graunted to the King to bee taken in two yeares of Woll-felles, Woll-ſackes, Leather, and other Marchandiſe. EP. The Cuſtome of a Sacke of Woll neuer ſhall be but vj.s. viij.d. The Sacke ought ta containe xxvj. Stones, and the Stone xiij.l. AB. Cuſtom 10. Weights 3. Any man that tranſporteth a Sacke of woll, ſhal be bound before to the Cuſtomers to bring at his returne plate of ſiluer, to the value of two Markes to the Kings Exchange. CB. A ſubſidie.

Statutes made Anno 14. Edward. 3. & Anno *Domini* 1340.

¶ 1 The King granteth, that the foreſaid Subſidie giuen to him by parliament of the ninth Lambe &c. ſhall not another time be an example, nor preiudiciall to the Lords and Commons, &c. Neither ſhall they be charged to aide the King but by common aſſent of the Lords and Commons in Parliament. And that all the profits riſing of the ſaid ayde, and of Wardes, Marriages, Cuſtomes, and Eſcheates &c. ſhall bee diſpended on the maintenance of the Realm, and of the warres of Scotland, France, and Gaſcoine, and in no place elſewhere, during the ſaid warres.

2 All Marchants, being no enemies, ſhal quietly come into the realm, and depart with their goods, paying their Subſidies, Cuſtomes &c. The Franchiſes and Cuſtomes graunted to Cities and Townes being ſaued. Safe conduct.

A Statute for the Clergie, made at Weſtminſter 16. die *Aprilis, Anno* 14. *Ed.* 3. *& An. Dom.* 1340.

1.R.2.3. ¶ 1 No ſpirituall perſons goods ſhall be purueyed for the King, without the conſent of the owners. AB. Purueyors 2. Purueiance.

2 The king ſhall not make title to preſent to a Church in anothers right, but of voidances happening of ſuch benefices within three yeres next before his preſentation or collation. EP. 25. Ed. 3. 2. pro Clero. Preſentation

25.Ed.3.6. 3 No Temporalties of biſhops &c. ſhalbe ſeiſed into the kings hands without good cauſe. AB. Biſhops 9. Temporalties

4 5 How Biſhops Temporalties ſhall bee vſed, and who ſhall haue them during the vacation. AB. Biſhops 10. Temporalties.

¶ 1 Anno 14. Ed. 3. & Anno Dom. 1340. By Statute it was ordained, that the Realme of England, and the people thereof, ſhall not be ſubiect or obedient to the king or kingdome of Fraunce. England. France.

¶ 1 Anno 15. Ed. 3. & Anno D. 1341. A Statute was made 15. Paſchæ confirming all former Statutes. And if any thing bee done againſt the great Charter, or the Charter of the Forreſt, it ſhalbe declared the nert Parliament,

Triall by Peeres. and by the Peeres redreſſed. No Peere or Officer becauſe of his Office ſhall

Great officers loſe lands, or goods, or bee impriſoned, outlawed, exiled, or put to anſwere, but by award of the Peeres in Parliament. All great Officers ſhall be ſworne to maintaine the priuiledges of holy Church, and the great Charter. In euerie Parliament, the third day of the Parliament, the king ſhal take into his hands the Offices of all his great Officers, and ſo they ſhall abide foure or fiue daies (ſauing the Iuſtices of both Benches, and the Barons of the Exchequer) ſo that they and all other Miniſters be put to anſwer to euery complaint. And if default be found in any of the ſaid Miniſters, and hee bee attainted in Parliament, by the iudgement of the Peeres, he ſhall be put out of his Office, and an

Uſurers. other placed therein. The King ſhall not meddle with Uſurers, but the Ordinarie. Miniſters of holy Church ſhall not be compelled to anſwere before the Kings Iuſtices for Penance, Teſtaments, Mariage, or other things touching the Iuriſdiction of the Church. But by another Statute made 1. Octobris An 15. Ed. 3. The foreſaid Statute was repealed, becauſe it was made without the Kings conſent. EXP.

Subſidie. ¶ 1 A Statute made Anno 15. Ed. 3. & Anno Dom. 1340. Expreſſing certaine Conditions or Couenants, whereupon the Subſidie graunted to the King, Anno 14. Ed. 3. was giuen him. EXP.

Exigent. ¶ 1 A Statute made Anno 18. Edw. 3. & Anno Domini 1344. An Exigent ſhall bee awarded againſt the Kings Receiuers of Woll, or money, which detaine the ſame: and againſt thoſe that tranſport Woll, being not cocketted, or without cuſtome: and againſt Conſpirators and Confederators of quarrels: and againſt them that commit Routes in affray of the people, or bring in falſe money in deceit of the people, if they cannot bee found, or brought in, to anſwere by Attachment, or Diſtreſſe: and not againſt any other. CB.

Statutes made at Weſtminſter Octabis S. Trinitatis, *Anno 18. Edward. 3. & Anno Domini 1344.*

New inquiries. ¶ 1 Commiſſions of new enquirie ſhall ceaſe: ſauing indictments of felonies and treſpaſſes of Wools carried out without Subſidies, Cuſtomes, &c. EXP.

Iuſtices. 2 Two or three of the beſt reputation in Counties ſhall be appointed keepers of the peace by Commiſſion. AB. Iuſt. of the Peace 1. 34. Ed. 3. 1. 1. Ed. 3. 16.

Woll. 3 Euery man, as wel ſtranger as other, may buy woll. And the ſea ſhal be open to all Marchants.

Commiſſions. 4 Commiſſions to aſſay weights and meaſures, ſhall be repealed: and none ſuch ſhall be graunted. EXP.

Exigent. 5 No Exigent ſhall be awarded in Treſpas, but where it is againſt the peace. AB. Exigent 1.

Money. 6 Money ſhall be made in Yorke. And Exchanges ſhall be in good townes, where the King will. CB.

Confirmation 7 A Confirmation of the Statute made for Purueyors, and the Steward and Marſhall of the Kings houſe. 5. Ed. 3. 2. 10. Ed. 3. 1. 2

The

The Statute of the Clergie made at Weſtminſter Octabis S. Trinit. *Anno* 18. *Edward.* 3. & *Anno Domini* 1344.

¶ 1 In conſideration of a triennall diſme giuen to him by the Clergie, the King doth graunt, that no Archbiſhop or Biſhop ſhall be impeached before the Iuſtices for crime, vnleſſe he do commaund them. EXP. — Biſhopscrime

2 Vpon demaunding of Clergie, Bigamie ſhall be tried by the Ordinarie, as Baſtardie ſhall, and not by Enqueſt. AL. 1. Ed. 6. 12. — Bigamie.

3 If Prelats, Clerkes beneficed, or religious people, which haue purchaſed lands in Mortmaine, be impeached before the Kings Iuſtices, and they ſhew a Charter of Licence, and Proces by an enqueſt of Ad quod damnum, by the Kings grace, or by fine, they ſhall be diſcharged: and if they cannot, they ſhall make a reaſonable fine. EXP. — Mortmaine.

4 In Commiſſions to be made for Purueyances, the fées of the Church ſhall be excepted. AP. Purueyors 2. — Purueiance.

5 No Prohibition ſhal be awarded, but where the King hath and ought to haue cognizance. AB. Prohibition 2. — Prohibition.

6 There ſhal be no more Commiſſions graunted to Iuſtices to enquire of ſpirituall Iudges, whether they made iuſt Proces, or exceſſiue, in cauſes Teſtamentorie, and others. EXP. — Spirituall Iudges.

7 No Scire facias ſhall bee any more awarded to warne a Clerke to anſwere in the Chauncerie of Diſmes, and to ſhew why ſuch Diſmes ſhould not be reſtored. CB. — Diſmes.

¶ 1 The Statute of the Othe of the Iuſtices, being made An. 18. Ed. 3. & Ann. Dom. 1344. AP. Iuſtices of both Benches, &c. 1. — Othe.

¶ 1 The othe of the Clerkes of the Chauncerie, made An. 18 E. 3. & An. Dom. 1344. And of the Clerkes of courſe. — Othe.

Statutes made at Weſtminſter 7. die Maij, Anno 20. *Edward.* 3. & *Anno Domini* 1346.

¶ 1 The Iuſtices of both Benches, Aſſiſe, &c. ſhall doe right to all men, without regard of letters, writs, or commandements: Shal take no fée of any but of the King: Nor giue Counſell where the King is partie. AB. Iuſtices of Aſſiſe &c. 1. 2. — Iuſtices.

2 Barons of the Exchequer ſhall do right to all men without delay. AB. Iuſtices of Aſſiſe &c. 2. — Barons of the Exchequer.

3 The Othe of Iuſtices of Oier and Terminer, of Aſſiſe, and Gaole deliuerie, and their aſſociats. AP. Iuſtices &c. 2. — Iuſtices othe.

1. Ed. 3. 14. 1. R. 2. 5. 4 None ſhall maintaine any quarrels but their own, in diſturbance of law and hinderance of right. AB. Maintenance 1. — Maintenance

5 Lords and great men ſhall put thoſe out of their ſeruice, fées, and robes, which be maintainers of quarrels. EXP. — Maintainors.

4. Ed. 3. 11. 4. Ed. 3. 2. 6 Iuſtices of Aſſiſe ſhall enquire of the demeanor of Shiriſes, Eſcheators, Baylifes of Franchiſes, and their vnder Miniſters, and of Mainteiners, common Embracers, and Iurors, and puniſh all them which they ſhall finde guiltie. — I. of Aſſiſe.

The Statute of Labourers made at Westminster 14.

die Iunij, Anno 23. Edward. 3. & Anno Domini 1349.

Who shal be bound to serue.

¶ 1 Euerie man and woman able in bodie, vnder the age of threscore yeares, not liuing in Marchandize, nor exercising any craft, nor hauing of his owne to liue, nor land, about whose tillage he may imploy himselfe, and not seruing another, shall be bound to serue, if he be required, and shall take the accustomed wages: Or els shall be committed to the Gaole, vntill he find suertie to serue. Prouided, that Lords be preferred in their bondmen and land-tenants. EP. 5. Eliz. 4.

Departure.

2 Labourers or seruants retained, shal not depart within their terme, vpon paine of imprisonment. And such shall not be retained by another. EP. 5. Eliz. 4.

More wages.

3 Whosoeuer giueth or taketh more wages then hath beene accustomed, shall forfeit double so much. EP. 5. Eliz. 4.

Wages.

4 If any Lord of a Mano^r hath couenanted to giue a seruant more wages than hath beene accustomed, he shall not be bound to pay it. EP.

Wages.

5 If any Artificer or Workeman shall take any more for his labour then had wont to bee giuen, hee shall bee committed to the next Gaole. EP. 5. Eliz. 4.

Victuals.

6 Victuals shall bee solde at reasonable prices, and Victualers shall bee content with a moderate gaine. And Maiors, Bailifes, and chief officers, shal enquire of, and punish offendors. AR. Victuals 4. 13. R. 2 8. 12. Ed. 4. 8.

Beggers.

7 No man shall giue any thing to beggers that are able to labour, vpon paine of imprisonment. EP. 1. Ed. 6. 3.

Surplusage of wages.

8 Artificers and seruants which doe take more then hath beene accustomed for their wages, shall pay the Surplusage to the Towne where they dwell, towards the discharge of the Tenthes and Fiftenes graunted to the King. EP.

A Statute of Labourers made at Westminster Octabis Purificationis, *Anno 25. Edw. 3. & Anno Domini 1350.*

Wages.

¶ 1 The yeares and dayes-wages of seruants and labourers in husbandrie. EP. 5. Eliz. 4.

Threshers.

2 Threshers wages. Seruants shall be sworne twice in the yeare before Stewards, Constables, &c. to obserue this Statute. None shall go out of the Towne in Summer, where he dwelt in Winter, if he may haue seruice, sauing, that people of seuerall Shires and places, may in August labor in other countries, and returne. And the offendor shall bee committed to the stockes, or the nert Gaole. EP. 5. Eliz. 4.

Carpenters.

3 The day-wages of Carpenters, Masons, Tylers, and other workemen of houses, and of their seruants. EP. 5. Eliz. 4.

Shoomakers

4 Shoomakers shall sell Shooes and Bootes as they were wont. EP. 5. Eliz 8.

Labourers sworne.

5 Artificers, Labourers, and seruants, shall bee sworne before the Iustices, to doe and vse their crafts and offices, as they had wont to doe. EP. 5. Eliz. 4.

6 Iuſtices of Aſſiſe ſhall enquire of and puniſh the offendors of this Statute: and ſuch Stewards, Bayliſes, and Conſtables, which doe not preſent them, and hoſtelers, herbengers, and ſellers of victuall offending. EP. 5. Eliz. 4. Punishment.

7 Sheriſes, Conſtables, Bayliſes, Gaolers, or other miniſters, ſhall not exact any thing of the ſaid ſeruants. EP. 5. Eliz. 4. No Exaction.

8 The Iuſtices Seſſions ſhall be kept foure times in the yeare, viz. at &c. AL. 2. H. 5. 4. Seruants which flie from one county to another, ſhalbe committed to priſon. EP. 5. Eliz. 4. Qu. Seſſions Fugitiue ſeruants.

¶ 1 A Statute made at Weſtminſter Octabis Purificationis, Anno 25. Edw. 3. & Anno Dom. 1350. Of thoſe which bee borne beyond the Sea. AB. Abilitie 1. 2. Forreines borne.

A Statute for the Clergie made at Weſtminſter *13. die Ianuarij, Anno 25. Edw. 3. & Anno Dom. 1350.*

¶ 1 All priuiledges granted to the Clergie confirmed. The King nor his heires ſhall preſent to a Benefice of anothers right, of any time of his progenitors, EP. Quære. Preſentment.

2 A Statute made Anno 14. Ed. 3. 2. Touching the Kings preſentment to a Church in anothers right, repealed. Preſentment.

13. R. 2. 1. 4. H. 4. 22. 3 When the King maketh preſentation or collation to a Benefice in anothers right, his title ſhalbe examined. AB. Incumbent 1. Preſentment.

4 All Clerkes Secular and Religious, which ſhall be conuicted before the Kings Iuſtices for any Treaſons or felonies, touching other perſons, ſauing the King himſelfe, or his royall Maieſty, ſhalbe deliuered to their Ordinaries. AL. 18. Eliz. 6. Clerks cõuict

5 A Clerke ſhall be arraigned of all his offences at once, and not remaunded to the Gaole. AL. 8. El. 4. & 18. El. 6. Arraignment.

6 A Biſhops Temporalties ſhall not be ſeiſed for a Contempt, but he ſhall make a reaſonable fine. AB. Biſhops 9. Temporalties

7 The Ordinarie may counterplead the Kings title for a Benefice fallen by lapſe. AB. Lapſe 1. Lapſe.

8 Cognizance of voidance of Benefices appertaineth to the Eccleſiaſticall Iudge. AB. Eccleſiaſticall 5. Benefices.

9 Indictments of extortion by Ordinaries, or their Miniſters muſt be certaine. AB. Ordinarie 2. Ordinarie.

A Statute of Clothes made Anno 25. Ed. 3. *& Anno Dom. 1350.*

¶ 1 Clothes ſhall be meaſured by the Kings Aulneger, and his deputies, who ſhall be ſworne to execute the Office well. The penaltie if he be found in default, or the cloth defectiue. The length and breadth of cloth ſhalbe according to the Statute of 2. Ed. 3. 14. AB. Draperie 84. Cloth.

9. Ed. 3. 1. 2. R. 2. 1. 16. E. 2. 1 2 Marchant ſtrangers and Denizens may buy and ſell any marchandizes in this Realme without interruption. AB. Marchants 1. Marchants.

3 Foreſtallers of wines, victuals, wares, and marchandizes, being thereof attainted, ſhall forfeit the things foreſtalled, if the buyer hath made grée to the ſeller: if not, but by arreſt, the buyer ſhall forfeit ſo much as the goods foreſtalled amount vnto, after the value as he bought them, if he haue whereof: Or Foreſtallers.

Or elſe ſhall be two yeares impriſoned, and more at the Kings pleaſure. AL. 5. Ed. 6. 14. Touching the penaltie.

Weares. 4 New weares ſhall be pulled downe, and not repaired. AB. Weares 2. 45. Ed. 3. 2

The Statute of Purueyors made at Weſtminſter 13. *die Ianuarij, Anno* 25. *Ed.* 3. *& An. Dom.* 1350.

Purueiors. ¶ 1 By what meaſure the Kings Purueiors ſhall take corne. Victuals & things purueied ſhalbe appraiſed, & Tallies made therof. AB. Purueyors 16. 17. 5. Ed. 3. 2. 10. Ed. 3. 1.

Treaſon. 2 A Declaration (to end the diuerſitie of opinions) which offences ſhall be adiudged high treaſon, and which petit treaſon. AB. Treaſ. 1. 7.

Inditor. 3 No inditor ſhalbe put vpon the enqueſt of the party indited. AB. Iurors 3.

Suggeſtion. 4 None ſhalbe condemned by Suggeſtion, without lawfull preſentment, AB. Accuſation 1. 28. Ed. 3. 3. 42. Ed. 3. 3.

Executors. 5 Executors of Executors ſhall in ſome caſes haue the ſame benefit, and charge that the firſt Teſtator ſhould haue had. AB. Executors 2.

Purueiors. 6 The penaltie of a Purueior that taketh timber in, or about any mans houſe. AB. Purueyors 8.

Forreſter. 7 No keper of Forreſt or Chaſe ſhall gather any thing, by colour of his office, without the owners good will, but that which is due. CB.

Armed men. 8 No man ſhall be bound to find men of Armes, but by Tenure or graunt in Parliament. AB. Captaines 14. 1. Ed. 3. 5. 4. H. 4. 13.

Iuſtell weight 9 Auncel weight ſhall be excluded, and weighing ſhal be by equal balance. AB. Weights 14. 34 Ed. 3. 5 27. Ed. 3. 10.

Meaſures 10 Euery meaſure ſhalbe according to the Kings Standerd. And ſhall be ſtriked without heape, ſauing the rents and farmes of Lords. AB. Weights 11. 34 Ed 3. 6

Aid. 11 Aide to make the Kings ſonne knight, or to marrie his daughter. AB. Aide &c. 1. 3. Ed. 1. 35.

Money. 12 No perſon ſhall take profit of exchanging gold for ſiluer, or ſiluer for gold, (but the Kings Exchangers) vpon paine of forfeiture of the ſame. AB. Money 1. 5. Ed. 6. 19

Money. 13 The mony of gold and ſiluer which now runneth, ſhal not be impaired in weight or alley. CB.

Indited. 14 What Proces ſhall be awarded againſt the party which is indited of felonie. AB. Inditements 5.

Sheepe 15 The penaltie of a Purueior which taketh more ſheepe in the woll for the kings houſe then be needfull betweene Eaſter and the feaſt of S. Iohn Baptiſt. AB. Purueiors 9.

Nontenure 16 The exception of Nontenure of parcell ſhall not abate the whole writ. AB. Nontenure 1.

Exigent. 17 Proces of Exigent ſhall be awarded in debt, detinue, and replevin. AB. Exigent 1.

Villenage. 18 Villenage may be pleaded, and a villeine ſeiſed, notwithſtanding a Libertate probanda be depending. AB. Villenage 1.

Protection. 19 By the Kings protection the parties ſuite ſhall not be hindered, but his execution. AB. Protection 1.

Money. 20 Plate of gold and ſiluer ſhalbe receiued into the kings Mint by weight, and ſo ſhall the money be returned, and not by number. AB. Money 8.

Butler. 21 The kings Butler ſhal take no more wines then ſhal be appointed him. AB. Butler &c. 1. 43. Ed. 3. 3.

Prouiſion. 22 Euery mã that purchaſeth prouiſions of Abbies or Priories, he, his executors & procurators, which do ſue & make execution of ſuch prouiſions, ſhalbe out

out of the Kings protection, and a man may do with them as with enemies of the King and the Realme. And he that offendeth against them in body or goods shall be excused against all people. CB.

23 The debt of a Lombard flying out of the Realme without agrément, with his Cransors, shalbe answered by the company of the Lombards. CB. Lombard.

¶ 1 The Statute of Prouisors of Benefices made Anno 25. Edward. 3. & Anno Domini 1350. The King and other Lords shall make Collation and Presentation vnto Benefices, of their owne, or their auncestors foundation, and not the Bishop of Rome to Aliens, or any of his Prouisors. CB. Prouisors.

¶ 1 The Statute of the forme of leuying of the Tenths and Fiftænes, which the Commons graunted to the King, made Anno 25. Edward. 3. The King graunteth to the Commons in aide of the same Disme and Quinzim, all the Issues, Fines, Forfeitures, Amerciaments, and other profites, which be or shall be leuied or taken of Labourers, Artificers, Regrators, Victuallers, Hostelers, Workmen, and Seruants, as fully as is contained in the last Parliament. And Commissions shalbe awarded to certaine people of euery Countie to leuie the same. EXP. A fiftæne.

A Statute of Prouisors made at Westminster *26. die Septembris, An. 27. Ed 3. & An. Domini 1353.*

¶ 1 He shall incurre the penaltie of Præmunire, which sueth in a forraine Realme: or impeacheth iudgements giuen in the Kings Court. AB. Præmunire 1. Præmunire.

2 In euery pardon of felonie the Suggestion and the Suggestors name shall be comprised. AB. Pardon 2. Pardon.

3 Commissions shalbe awarded to Iustices learned in the law, to inquire of the outrages of hostelers, regrators, labourers, &c. and to punish them, and to doe right to the King and his people. EXP. Commissions.

4 The Aulnegers fée of euery cloth and halfe cloth sold. Clothes put to sale before they be sealed, shall be forfeited. AB. Draperie 92. A Subsidie graunted to the King of euery cloth to be sold. EXP. Aulneger.

5 If any English Marchant shall ingrosse or forestall Gascoyne wines, or buy them of a Gascoyne, to pay in England more then they be sold for in Gascoyne, he shall lose life, member, the wines, and all his goods and cattels. EXP. for felonie. 37. Ed. 3. 16. Wines.

6 All Marchant strangers may bring wines into England, to what Port they will, and make thereof their benefit, so that the Kings butler make Purueiance of them when need is, paying therefore within 40. daies. 43. Ed. 3. 3 Wines.

7 It is felonie for any English Marchant his seruant or other for him to lie in Gascoyne to buy wines, sauing in the Vintage time, and then but in the Ports of Burdeaux and Baion. EXP. 37. Ed. 3. 16. Wines.

8 All red and white wines that shal be brought into England, Wales, or Ireland, to be sold, shall be gauged by the kings Gaugers, or their deputies. And if any will not suffer them to be gauged, he shall forfeit the wines. And if default be found in the Gauger, that he or his deputie be not ready to execute his office when he shalbe required, or therein commit fraud, or deceit, to the damage of the buyer or seller, he shall pay to the party grieued his treble damages, lose his office, and be imprisoned, and ransomed at the Kings pleasure. AL. 28. H. 8. 14. for the penaltie. AB. Wines 14. 18. H. 6. 17. 1. R. 3. 13. 23. H. 6. 16. Wines gauged.

The

The Statute of the Staple made at Weſtminſter *26. die Septembris, Anno 27. Ed. 3. & An. Dom. 1353.*

Staple Townes.

¶ 1 The Staple of wools, leather, woolfells, and lead, ſhall bee holden for England at Newcaſtle vpon Tine, Yorke, Lincolne, Norwich, Weſtminſter, Canterburie, Ciceſter, Wincheſter, Exceter, and Briſtowe: for Wales, at Karmardyn: and for Ireland, at Deuelin, Waterford, Corke, and Drogheda, and not elſewhere. And all the wools, woolfelles, leather, and lead, brought forth of the ſaid Realms, ſhall firſt be carried thither, & ſhall be weighed there by the Standerd. And euery ſarpler of wool ſo weighed, ſhalbe ſealed with the ſeale of the Maior of the Staple: and after ſhall bee carried to ſeuerall Port townes, and there againe weighed by the Cuſtomers. An Indenture ſhall be made betweene the Maior of the Staple, and the Cuſtomers of all the wools, woolfelles, leather, and lead, which ſhall be brought to the Staple. There ſhall be paid to the King for cuſtome by Denizens of a ſacke of wooll halfe a marke, of 300. woolfells halfe a marke, of a laſte of leather a marke, for that they haue paſſed. And by Aliens for a ſacke of wooll x. s. for 300. woolfelles x. s. for a laſt of leather xx. s. and for euery ſow of lead iij. s. And then the ſame Marchandiſes ſhall be carried by the Marchants ſtrangers which bought them to any parts beyond the ſea where they pleaſe, and not by Engliſhmen, Welchmen, nor Iriſh men. And the ſaid Maior and Cuſtomers ſhal take an oath of all the ſaid Marchants ſtrangers, that they ſhal hold no Staple beyond the ſea of the ſame Marchandiſe. 28. Ed. 3. 15 43. Ed. 3. 1 14. R. 2. 1 12. R. 2. 6

Marchant ſtrangers.

2 All Marchants ſtraungers (beeing no enemies) ſhall freely with their marchandizes reſort into this Realme, and dwell therein, and returne with their marchandiſes at their pleaſures. And nothing ſhall be taken of them againſt their wills, but the Kings cuſtomes.

Wooll ſhall not be tranſported by the Engliſh men &c.

3 All Marchants as well Aliens as Denizens may buy wools, felles, leather, and lead, through the kings dominions, ſo that they bring them to the Staples. It ſhal be felonie for any Engliſh, Welch, or Iriſh Marchant to carrie any wools, felles, leather, or lead, out of the ſaid Realms: or by couin to procure any Marchant alien to carrie the ſame vnder his owne name: Or to ſend or keep a ſeruant or Atturney beyond the ſea to ſuruey the ſale of the ſaid wools &c. Or to receiue money comming by the ſale therof: or to take money or marchandiſe out of the Realme for marchandiſes ſold in the Staple. MP. 38. Ed. 3. 6. for the felonie. 36. Ed. 3. 11

No purueiance in the Staple. A carrier.

4 None going vnto, or returning from the Staple ſhall be diſturbed by the Kings Purueyors, nor any other. Neither ſhall any of their goods or carriages be taken. And euery carrier returning from the Staple, ſhall haue a Bill vnder the ſeale of the Maior of the Staple, teſtifying that he ſerueth the Staple.

Cogniſance ſuits.

5 None of the Juſtices of the Kings Bench, Common Bench, in Eire, or of Aſſiſe, nor other Juſtices ſhall take cognizance of thoſe things that belong to the Staple.

No officer ſhall meddle.

6 No Marſhall, or other of the Kings Officers ſhall meddle in the places where the Staples bee holden, nor enter into any houſe to execute their offices.

Licence.

7 If any licence ſhall be graunted to any Engliſh, Welch, or Iriſh man, to carrie wols, fels, leather, or lead, forth of the Realme, the ſame ſhall bee void.

8 The

8 The Mayor and Constables of the Staples shall haue iurisdiction and rognizance within the Townes where the Staples bee, of people, and things touching the Staple. All Marchants and their people of the Staple shall bee ruled by the law Marchant, of all things touching the Staple, and not by the common law, nor by cuſtomes of Cities or Townes. They shall not implead or bee impleaded before the Iuſtices of the Benches in plea of Debt, Couenant, or Treſpaſſe, touching the Staple: but shall implead all perſons, as well not of the Staple, as of the Staple, which shall be found there. And they shall bee impleaded before the Mayor and Iuſtices of the Staple, of all pleas and actions, whereof the conuſance pertaineth to the officers of the Staple. All contracts and couenants made betwixt Marchant and Marchant, or other, whereof the one party is a Marchant or miniſter of the Staple, whether the ſame was made within the Staple, or without, and alſo of treſpaſſes done within the Staple to Marchants or miniſters by other, or by any of them to other, the plaintife shall chuſe whether he will ſue his action before the Iuſtices of the Staple by the law of the Staple, or in other place at the common law. But in pleas touching any of the Kings houſe, the Steward or his Lieutenant and the Marſhals of the ſame houſe, shall bee with the Mayor of the Staple, to ſee that right bee done to the parties, if they will bee there. And pleas of land and freehold shall bee at the common law. And if Marchants or their people being in the Staple, doe commit Felonie, or bee ſlaine, robbed, or maymed by any perſons, the Mayor of the Staple, and other ſufficient Iuſtices shall bee aſſigned to heare and determine the ſame Felonies and mayhems within the Staple, according to the common law. And if a tryall bee to bee made before the Mayor of the Staple, betweene two ſtrangers, the Enqueſt shall bee of ſtrangers. And if both parties bee Denizens, the tryall shall bee by Denizens: and if the one party bee a Denizen, and the other an alien, halfe the Enqueſt or more ſhall bee of Denizens, and the other of aliens. AL. 36. Edw. 3. 7. touching hearing and determining of Felonies. Iuriſdiction of the ſtaple.

28.Ed.3.13. 8.H.6.29.

15.R.2.9 9 The forme and effect of a Recognizance for the recouerie of debts, acknowledged before the Mayor and Conſtables of the Staple. AB. Statutes 4. Recognizance

8.H 5.9. 11.H.7.4. 10 There shall bee one weight, one meaſure, and one yard through all the land, as well out of the Staple, as within. And weighing ſhalbe by equall ballance. AB. Weights 1.14. weight and meaſure.

11 It ſhalbe felony to foreſtall, buy, or giue earneſt for any marchandizes, before they come to the Staple, or to the Port where they ſhall bee diſcharged, or to go into the ſhip for that cauſe. Foreſtalling.

12 It ſhall bee felony to ſell wools, felles, or leather to any Scottiſh man, or to be caried into Scotland. Scotland.

13 Marchants robbed on the ſea of their goods, which be brought after into the K. dominions, ſhall haue remedy to recouer them: and ſo ſhall they haue, where the ſhip breaking on the ſea, their goods be caſt vpon land. Robbed on the Sea.

14 Marchants may bring in gold or ſiluer in mony, or bullion to the kings Exchanges, and carry forth as much new money, but no old ſterling. Money.

15 Indentures ſhalbe made betweene Carriers of wools, fels, leather, and lead to the Staple by freſh waters, or by armes of the ſea, and the Bailifes of Townes where they load them in ſhip. And alſo the ſaid Bailifes ſhall take othes and ſufficient ſurety of them, and the mariners, that they ſhall carry the ſaid marchandize to the Staple, and diſcharge them there before they enter the ſea, otherwiſe it ſhall bee felony in all the ſaid parties. Indentures.

16 In

The rent of houses.

16 In euery towne where the Staple shall be, houses shalbe let at a reasonable rent, according to the ordinance of the Mayor & Constables of the Staple, and of foure discreet men of the best of the same towne, who shal be sworne to make a lawfull taxe.

Anothers debt.

17 A Marchant stranger shall not bee impeached for anothers trespas, or debt, whereof he is not debtor, pledge, or mainperno^r, sauing in case of the law of Marque: Marchants of enemies countries shall haue conuenient time by Proclamation to sell their goods, and to depart.

Marque.

Ireland. Wales.

18 The people of Ireland and Wales may bring their wools, felles, leather, and lead, after they be customed and cocketed there, to any of the Staples of England, and not pay therefore any other custome or subsedie. And if they conuey them to any other place, it shalbe felonie.

Seruants.

19 None shall lose his goods by the offence of his seruant, vnlesse he do it by the maisters commandement. Speedie iustice shalbe done to Marchants from day to day, and from houre to houre.

Speedie iustice.

20 Because Marchant strangers be taken into the Kings protection, they shall haue present iustice for any grieuances done to them in the countrey out of the Staple. And for the said wrongs the Marchants shall recouer double damages, and the king shall haue as much.

Mayor & two Constables.

21 In euery towne where the Staple is ordained, there shall be a Mayor chosen euery yere by the Comminaltie of Marchants, as well strangers as denizens, and also two Constables, which Mayor & Constables shal haue power to keepe the peace, and to arrest offendors in the Staples for debt, Trespas, or other contract, and to imprison & punish them after the law of the Staple. And other officers in the same townes, or neere thereunto adioyning, shalbe attending and assisting vnto them, to redresse any thing amisse there.

Correctors.

22 In euery place where the Staple shall be kept, there shall be a certaine number of Correctors, as wel of strangers, as of priuies, to make & record bargains betweene buyers & sellers. But they shall meddle with no marchandize, so long as they continue in that office.

Officers oths

23 The Maior and Constables of the Staples shalbe sworne in the Chancery to do that which pertaineth to them. And all porters, packers, winders, workers, & other labourers of wools, and all Correctors and other officers of the Staple shalbe sworne before the Maior to execute their offices without fraud. And all Marchants Aliens, & denizens comming to the Staples, shalbe sworn before the Mayor & Constables, to bee iustified by them, and to maintaine the Staple, and the lawes and customes of the same.

Associates.

24 Two Marchãts aliens shalbe chosẽ by aliens to be associat to the Maior and Constables of the Staple, to see that Iustice be done to Marchants aliens. And if any question shall rise betweene them, the tenor therof shal be sent to the Chancellor of England and the Kings Counsell, to bee presently determined. And two Englishmen, two of Lombardy, and two of Almaigne, shalbe chosen to bee Mediators of questions betweene sellers and buyers.

Mediators.

Confederacie.

25 If any Marchant or other shall make any confederacie, conspiracie, or euill deuice, which may turn to the disturbance or defeating of the Staples, or any thing pertaining vnto them, it shalbe felony.

The value.

26 Credit shall bee giuen to the letters of the owners of Marchandizes, brought into this Realme, testifying the value of the same Marchandizes: Or els to their othes.

Offences before this Stat.

27 They which contrary to the Kings prock. haue carried their wools, fels, or leather beyond the sea before this statute made, shall forfeit the same, and all their other goods, and be ransomed at the Kings pleasure.

28 A Confirmation of the liberties of the Staple, notwithstanding other mens franchises, and yet sauing all mens rights in Faires, Markets, Hundreds, Lætes, &c. Q. an CB. Liberties confirmed.

¶ 1 An ordinance of the fees of the Maiors and Constables of the Staple made Anno 27. Ed. 3. The Maior of the Staple at Westminster shall haue yearely for his fee C. pounds. And either of the Constables there ten markes. The Maior of Yorke, Kingston vpon Hull, Norwich, and Winchester, euery of them shal haue twentie pounds, and euery of the Constables of the said places C. s. The Maiors of Newcastell vpon Tine, Chichester and Exeter shall haue ten l. and euery of the Constables there fiue marks. And if any of the Maiors and Constables aboue named refuse the office, he shal pay to the companie so much as his fee shall amount vnto. Maiors and Constables fees.

Statutes made at Westminster 28. die Aprilis Anno 28.

Edw. 3. & Anno Dom. 1354.

¶ 1 A Confirmation of all the Statutes made and vsed. Confirmation

27.H.8.26. 2 Lords of the Marches of Wales shall be attending to the Crowne of England, and not to the principalitie of Wales. S. AB. Wales 1. L. Marchers.

9.H.3.29. 5.Ed.3.9. 3 No man shall be disseised of his land, imprisoned, nor condemned, without his answere. AB. Accusation 1. Iustice.

4 How Escheators and others shall answere the King the measne Rates of those Lands, which were taken into his hands by the death of his Tenant. AB. Liuerie 53. Measne Rates.

5 No Iron shall be carried forth of the Realme. AB. Iron 9. Iron.

3.E.1.1.10. 6 Who shall be Coroners, and by whom, and where they shall be chosen. AB. Coroners 1. Coroners

14.Ed.3.7. 7 No man shall be Shirife aboue one yeare. AB. Shiriffes 4. Sherife.

42.Ed.3.9. 5.Ed.3.7. 8 A writ of Attaint shall be graunted as well vpon a Bill, as vpon a writ of Trespas. AB. Attaint 22. Attaint.

9 No Writ or Commission shall be directed to a Sheriffe, to charge an Enquest to indite any. CB. Indictment.

10 The Maior, Sheriffes and Aldermen of London shall punish & redresse errors, defaults, & misprisions notoriously vsed in ỳ said City vpõ paine to forfeit to the King the first time 1000. markes, at the second time 2000. markes, & at the third time the liberties of the Citie. And this shal extend to al Cities, and Boroughs where such defaults be vsed, and not corrected. AL. 1. H. 4. 15. Disorders in London.

13.Ed.1.1.2. 27.El.13. 11 Freshsute shall be made after Robbers from Towne to Towne, and from Countrie to Countrie. AB. Huy and Crie 1. Fresh suite.

12 Purueiances made to the Kings vse vnder xx. s. shall be presently paid for, and all aboue, within a quarter of a yeare. AL. 2. H. 4. 14. 20. H. 6. 8. Purueiance.

27.Ed.3.8. 8.H.6.29. 20.R.2.4. 13 The warrantie of packing of wools shall be wholy put out. An Enquest shall be de medietate linguę, where an Alien is partie. AB. Iurors 29. No Forreiners ships shal be compelled to ariue in England, or to tarry there, but may depart at pleasure with their goods. Packing. Trials.

14 Wolls shall be shewed at the Staple euery day in the weeke, sauing Sonday, and solemne feasts. But it shall be felonie to shew it in any other place within three miles of the Staple, sauing that euery man may shew and sell his woll of his owne growing, in his house, or els where. Shewing of wools.

15 The Staple of Westminster shall begin his bound at Temple Barre, and extend to Tuthill. In other Cities & Townes the bounds of the Staples shall be within the walls: And in Cities or Townes not walled, the bounds shalbe through all the Citie or Towne. Bounds of the Staple.

Statutes made at Weſtminſter, 22. die Aprilis, *Anno* 31. *Ed.* 3. & *Anno Dom.* 1357.

Cõfirmation. ¶ 1 The great Charter, and the Charter of the foreſt ſhall be obſerued and executed.

weights. 2 No wools ſhall be bought by fraud to abate the prices of them. Balances and weights according to the Standerd of the Exchequer ſhall be ſent to all Sheriffes: And other mens ſhall be made according to them. AL. 11. H. 7. 4.

Eſtreites. 3 A man charged by Eſtreites with detaining of felons goods, laieth the fault in another. AB. Eſtreits 3.

Extortion. 4 Extortion in Biſhops officers for proouing of Teſtaments. AL. 21. H. 8. 5. 3. H. 5. 8.

wyne. 5 The Contents of a Tunne of wine. A veſſell of wine ſold vngauged ſhalbe forfeit to the King. AB. Wines 13. 18. H. 6. 17. 1. R. 3. 13.

Labourers. 6 The Lords of franchiſes which haue the ſame by Charter, ſhall haue the iſſues fines, and amerciaments, of labourers forfeited. EX. 28. H. 8. 14.

Labourers. 7 The Statute of Labourers ſhalbe of force in London, and els where. EX. 5. Eliz 4.

Refuſe woll. 8 There ſhall be no refuſe of wools, but of Cot, garreine, and villaine fleeces. AB. Woolles 10. All wolles, felles, and leather bought in the Countrie ſhall be brought to the Staple, and ſhall remaine there fifténe daies at the leaſt: And thoſe which cannot be ſold there within that time, ſhall be carried to the Ports ordained for the Staples to be carried ouer. CB. 13. R. 2. 9.

Tranſporting 9 The Kings Councell vpon cauſe may deferre the tranſporting of wols. AB. Wools. 11.

Victuallers. 10 Who may rule or reforme the defaults of victualers in London. AB. Victuals 1. 7. R. 2. 12.

Adminiſtrator. 11 Who may commit the Adminiſtration of the goods of him which dieth inteſtate. The benefit and charge of the Adminiſtrator. AB. Adminiſtrators. 1.

Error. 12 The Lord Chancellor and Treaſurer ſhall examine complaints of erronious Iudgements giuen in the Exchequer. AB. Error 2. 31. El. 1.

Pardon. 13 The Kings pardon to the commons of the Eſcapes of felons, and their goods not eſtreited, and amerciaments not affeired. And a fifténe granted to the King in regard thereof. EX.

A fifteene.

Eſcapes. 14 Eſcapes of felons, and cattels of felons and fugitiues, and Eſcapes of Clerkes conuict ſhalbe leuied as they ſhall fall. AB. Eſcape 2.

Turne. 15 At what time the Sheriffe ſhall hold his turne. AB. Turne 1. 9. H. 3. 35.

The ſtatute of Herrings made at Weſtminſter 22. *die Aprilis*, *Anno* 31. *Ed.* 3. *Anno Dom.* 1357.

Sale of Herring. ¶ 1 Herrings ſhall not be ſold, or bought on the ſea: and at what time they ſhalbe ſold and bought. AB. Fiſh &c. 16.

Yarmouth Faire. Cinque ports. 2 The order and time of bringing and ſelling of herring at the faire of great Yarmouth. The hundred of herrings ſhal be accounted by vj. score, and the laſt by x. thouſand. The Wardens of the Cinque ports ſhall gouerne the

the Faire of great Yarmouth, according to a compoſition made betweene them, and confirmed by king Edw. 1. HR.

3 The Chauncelor and Treaſurer taking to them the Juſtices, and other of the Kings Councell, may take order for the buying and ſelling of Stockfiſh of S. Botulph, Salmon of Barwicke, and of wines and fiſh, that the King and people may be better ſerued then they haue beene. CB. Orders for ſale of fiſh.

¶ 1 Another Statute for fiſh made the ſame Anno 31. Ed. 3. The Ships called Doggers and land-ſhips of the Hauen of Blackney, ſhall diſcharge their fiſh within the ſame Hauen, only betweene Benord and Hogflæte, vpon paine of impriſonment at the Kings pleaſure, and forfeiture of the ſame fiſh. None of the ſame fiſh ſhall be carried forth of the Ship, vntill the owner of the Ship and the Merchant ſhall be agreed of the price by cleere day. HR. Blackney Hauen.

2 Loch-fiſh ſhalbe choſen or tryed but in three parts, viz. Leb, Ling, & Cod: and what part thereof the Maſters of the Ships, & what part the Marriners ſhall haue. At the beginning of Blakney Faire a price ſhall be ſet of Dogfiſh, which ſhall hold during the Faire. No man ſhall buy nets, hookes, or other inſtruments pertaining to fiſhing in Norfolke, but owners, Maſters, and Marriners of Ships that vſe fiſhing, vpon paine of impriſonment, to be ranſomed at the Kings pleaſure, and to forfeit the things ſo bought. CB. Lochfiſh. Blackney Faire. Fiſhing engins.

Statutes made at Weſtminſter 23. die Ianuarij.

Anno 34. *Edw.* 3. *&* *Anno Dom.* 1360.

2.E.3.6. 18.Ed.3.2. 13.R.2.7. 36.Ed.3.6. 7.R.2.7. ¶ 1 Who ſhall be Juſtices of peace, and what authoritie they ſhall haue. AB. Iuſtices &c. 1. 18. Juſtice of peace.

2 There ſhal be no purueiance made but for the King, Quéene, and Kings eldeſt ſonne. AL. 23. H. 6. 14. Purueiance.

3 For ſmall things purueied for the Quéene and the Prince, payment ſhall be preſently made, & for greater things within a moneth or vj. weeks. CB. Purueiance.

28. Ed. 1. 9. 4 What ſort of people ſhall be returned vpon euery Jury. AB. Iuries 1. Jurors.

42.Ed.3.11. 25.Ed.3.9. 27.Ed.3.10. 5 Auncell weight ſhall be put out. Buying and ſelling ſhall be by equall ballance. AB. Weights 14. Weights.

25.Ed.3.10. 6 All meaſures, viz. a Buſhell, halfe Buſhell, Peck, Galon, Pottell, and Quart, ſhalbe according to the Kings Standard. And euery meaſure ſhall be ſtricked without heape, ſauing the fermes of Lords. AB. Weights 1. Meaſures.

7 An Attaint will lie as well in plea reall, as perſonall. AB. Attaint 12. And it ſhalbe graunted to the poore without fine, and to others vpon eaſie fine. Attaint.

8 A Juror taking reward to giue his verdit ſhall be one yeare impriſoned, and make fine. AL. 38. Ed. 3. 12. Touching the penaltie. Juror.

9 Lords of townes may impriſon Carpenters, Maſons, & other labourers ſeruants, & Artificers xv. daies, if they will not be iuſtified, & then cõmit them to the nert Gaole, vntill they will iuſtifie themſelues. HP. 5. El. 4. Labourers.

10 Labourers and Artificers departing from their ſeruice into another countrie after a Capias, Exigent, and Outlarie awarded againſt them, ſhall be burned in the forheads with the letter F. HP. 5. El. 4. Labourers fugitiue.

11 If a Labourer, ſeruant, or Artificer do depart to a Citie or Borough, vpon requeſt the Maior or Bailifes ſhal deliuer him, vpon paine to pay to the King ten pounds, and to the partie 100. ſhillings. HP. 5. El. 4. Fugitiue.

12 There ſhall be no forfeiture for Treaſon of dead perſons not attainted, &c. AB. Forfeiture 3. Forfeiture.

3.H.8.2. 13 By what ſort of people, in which place, and in what manner an Eſchetor ſhal take his Enqueſts. AB. Eſchetor 9. Eſchetor.

Trauerſe. 14 Trauerſes of Offices found before Eſchetors vpon alienation or death of the Kings tenant, ſhall be tried in the Kings Bench. AB. Trauerſe 1.

Tenures. 15 Thoſe alienations which the tenants of King Henry the 3. and other Kings before him did make to hold of themſelues, confirmed. But the Kings Prerogatiue ſhall be ſaued for his Graundfathers, his Fathers, and his owne time, S. 13. Ed. 1. Q. Emp. terrarum.

Non-claime. 16 Non-claime of fines ſhall hereafter be no Barre.

Ireland. 17 All Merchants, Aliens and Denizens, may come into Ireland with their Merchandiſes and Vitailes, without fine, or raunſome, and ſo depart, ſauing to the King his auntient cuſtomes and duties.

Ireland. 18 People as well religious as others, which haue their inheritance and poſſeſſions in Ireland, may carry their Corne, Cattell, and Vitaile into Ireland, and bring them againe into England, paying to the King their cuſtomes.

Cuſtome. 19 No Cuſtome or Subſidie ſhall be paied for Cannas to pack woll in. AB. Cuſtome 10.

Corne. 20 A reſtraint of tranſporting of Corne, vnleſſe it be to Calice or Gaſcoigne. EXP

Confirmation 21 A confirmation of a libertie graunted by a former Proclamation to Denizens to carry woll ouer the Sea. EXP.

Hawke. 22 How he ſhall vſe a Hawke that taketh it vp. AB. Hawkes 2. 37. Ed. 3. 19.

Herring. ¶ 1 The Ordinance of Herring made Anno 35. Ed. 3. and Anno Dom. 1360. All perſons may buie Herring in the Faire time at great Yarmouth openly, and not priuilie, at ſuch prices as ſhall be agreed vpon. No man ſhall enter into a bargaine of Herring vntill the firſt Chapman hath done with it, Neither ſhall any man increaſe in price vpon an other, vpon paine to forfeit to the King the double of his proffer. CB.

Statutes made at Weſtminſter Quindena Michaelis,

Anno 36. Ed. 3. & Anno Dom. 1362.

Confirmation ¶ 1 A Confirmation of the great Charter, the Charter of the Forreſt, and other Statutes.

Purueyance. 2 No Purueiance ſhall be made but for the King and Quéene, for the which readie paiment ſhall be made as it may be ſould in the Market. The name of Purueior changed into buier. Things purueied ſhall be appraiſed. AB. Purueiors 1. 16. 17. 20.

Purueior. 3 The penaltie of a Purueior which ſhall receiue a reward to ſpare one, or to charge an other. AB. Purueiors 14.

Commiſſions. 4 Commiſſions ſhall be awarded to inquire of Purueiors behauiour. AB. Purueiors 18.

Purueiors. 5 The King and Quéenes Purueiors ſhall take but which is néedfull, and that by the conſent of the owners, and ſhall pay therefore ready money. AB. Purueiors 17.

Chator. 6 No Subiects Chator ſhall take any thing againſt the owners conſent. AB. Purueiors 1.

Juriſdiction of the Staple. 7 The Maiors and Conſtables of the Staple ſhall haue coniſance only of Debts, Couenants, and Contracts, and of all other pleas touching Merchandiſe betweene Merchants knowen, (but not of felonie.) Merchants Aliens may ſue before the Maiors of the Staple, or at the common Law. 27. Ed. 3. 8.

Chapleins. 8 No man ſhall giue to a Parith Prieſt for his yeares wages aboue

iij.l. vj.s. viij.d. or els his board and xxvj.s. viij.d. vpon paine to pay as much to the King. AL. 2. H. 5. 2.

9 Whosoeuer findeth himselfe grieued with any of the forelaid, or other Statutes, shall haue his remedy in the Chancerie. EXP. Chancerie.

4.Ed.3.14. 10 A Parliament shall be holden once euery yeare. AB. Parliament 1. Parliament.

27.Ed.3.3. 11 No Subsidie or other charge shall be imposed vpon wools by any without assent of Parliament. Merchants Denizens may passe with their wools, aswell as forraines. Wools.

12 Iustices of Peace shall yearely keepe foure Quarter Sessions, at the dayes and times of &c. AL. 2. H. 5. 4. for the times. Q. Sessions.

28.Ed.1.18. 8.H.6.16. 1.H.8.10. 13 An Escheator shall haue no fee, nor commit waste in Wards lands. AB. Wards 23. Lands seised vpon an Enquest taken before an Escheator shall be letten to farme to him which tendereth a Trauerse. AB. Patents 26. Escheator.

14 The fines and amerciaments of Artificers, Labourers, and seruants, shall be to the vse of the Commons, and distributed betweene them. EXP. Fines.

15 Pleas shall not be pleaded in the French tongue, as they haue been, but in the English: And they shall be inrolled in Latin. AB. Pleading 1. Pleading.

16 The Kings Pardon of diuers offences. And Charters of pardon shal be made to all the Counties of England, and to all seuerall persons that will demaund the same, without making fine, or paying for the Seale. EXP. Pardon.

Statutes made at Westminster Octabis Sancti Michaelis, *Anno* 37. *Ed.* 3. *& Anno Domini* 1363.

¶ 1 The great Charter, the Charter of the Forrest, and other Statutes shall be obserued. Confirmation

9.H.6.4. 2 Idemptitate nominis shall be graunted vpon the wrongfull seisure of an other mans lands or goods. AB. Shiriffes 23. Idemptitate nominis.

3 The seuerall prices of a Capon, henne, pullet, & goose. CB. Pultrie.

4 A Clerke of the Remembrance of the Eschequer shall be assigned to sit together with the Clerke of the Pipe, &c. AB. Exchequer 1. Exchequer.

5 Merchants shall not ingrosse merchandizes to enhaunce the prices, nor vse but one sort of merchandize. EXP. 38. Ed. 3. 2. Merchants.

6 Handycraftsmen shall vse but one Misterie, vpon paine of halfe a yeares imprisonment and fine. But women may vse seuerall workes. EXP. 5. Eliz. 4. Q. One occupation.

7 Goldsmiths shall make their worke of good sterling. Euery Goldsmith maister shall haue a marke. None shall make white vessell and gild. AB. Gold &c. 8. Goldsmiths.

8.9.10.11.12.13.14.15. The diet and apparell of seruants, and the apparel of gentlemen, Esquires, Knights Merchãts, Citizens, Burgesses, Clerks, Carriers, Ploughmen, Shepheards, Maiemaides, &c. And the prices of their seuerall garments by the yard or in the whole. Clothiers shall make Clothes sufficient of the said prices. And Drapers shall buy and puruey them. And for default of such Clothes this Statute shall not be infringed. EXP. 24. H. 8. 13. Apparell.

16 A Repeale of so much of the Statute of 27. Ed. 3. 5. & 7. as doeth make the offences therein specified touching Wines felonie. Enquirie shal be made yearely in Gascoyne of the Couchars of England, which lie there, to buy wines in the vintage time contrarie to the Statute of 27. Ed. 3. 7. CB. Wines.

17 In what case a writ shall not be abated by exception of cognizance of villenage. AB. Villenage 3. Villenage.

Suggestion. 18 The order of pursuing a Suggestion made to the King. AB. Suggestion 1. 38.Ed.3.9.

Hauke. 19 How each man shall vse the Hauke that he taketh vp. AB. Haukes 2. 34.Ed.3.22.

Statutes made at Westminster Octabis Hillarij, *Anno* 38. *Edw.* 3. *& Anno Dom.* 1363.

Confirmation ¶ 1 The great Charter, the Charter of the Forrest, and other Statutes shall be obserued.

Merchandize. Gold, Siluer. 2 All Merchants may buie all manner of Merchandizes, and carrie them whether they will: sauing that English Merchants shall not transport wools and felles. None shall carrie out of the Realme Gold or Siluer, but the victuallers of fish. 9.Ed.3.1; 5.R.2.2.

Fines. 3 Fines to be taken before Iustices shall be in the presence of Pledges, and the Pledges shall know the summe of their fine before their departing. CB.

Bonds. 4 Penall bonds in the third person shall be void. Q. if in the Courts out of the Realme.

wager. 5 Any man may wage his law against a Londoners papers. AB. Wager 2.

Transport wols. 6 A Repeal of so much of the Statute of 27.Ed.3.3. as maketh it felonie for any English man to carrie ouer the Sea wols, fels, or Leather, and a confirmation of the residue of the said Statute.

Staple. 7 The Staple shall be in England. A Confirmation of the Statute of the Staple made Anno 27.Ed.3. with the Declarations, Additions, and Modifications thereof: Notwithstanding any Licences, or that statute &c.

Custome. 8 A Ship shall not be lost for a small thing therein not customed. AE. Customes 10.

Suggestion. 9 The punishment of him which proueth not his suggestion made to the King. AB. Suggestion 1. 37.Ed.3.18.

wines. 10 A Confirmation of former statutes made for Merchants of wines.

wines. 11 All Merchants Denizens, that be not Artificers, may goe into Gascoyne to fetch Wines. And Gascoyne Merchants may bring Wines into England.

Iuror. 12 The punishment of a Iuror taking reward to giue his verdict, and of Embracors. AB. Iurors 5. 34.Ed.3.8.

Other Statutes made Anno 38. Ed. 3. *& Anno Dom.* 1363.

Prouisors. ¶ 1 They which obtain Citations from Rome against any of this Realme, for causes, the cognizance whereof pertayneth to the King, and his Court: or for impetration of Benefices of the Kings, or other mens giftes, shall incurre the penaltie ordeined for Prouisors, Anno 25.Ed.3. AL. 13.Eliz.1. touching the penaltie.

Premunire. 2 They which being suspected of any of the said offences, that cannot be attached by their persons, if within two Moneths after warning they doe not appeare before the kings Iustices to answere, shall incurre the penaltie of the statute of 27.Ed.3.1. AL.13.Eliz.1.

Premunire. 3 He which doth commit any of the offences aforesaid, shall be put out of the Kings protection, and punished according to the Statute of Anno 27. Ed.3.1. AL. 13. Eliz.1.

4 He that vpon malice doth falſly purſue any vpon this Statute, ſhall be puniſhed at the kings pleaſure, and make amends to the party grieued. The King and all the Parliament houſe agreed to impeach the offendors, and to reſiſt them. False purſute.

Statutes made at Weſtminſter 1. die Maij, Anno 42.
Edward. 3. *& Anno Domini* 1368.

¶ 1 The great Charter, and the Charter of the Forreſt confirmed. And if any Statute be made to the contrary, it ſhall be repealed. Confirmation

2 The Kings Pardon graunted in the 30. yeare of his raigne confirmed. EXP. Pardon.

3 None ſhall be put to anſwere an accuſation made to the King, without preſentment, or ſome matter of Record. AB. Accuſation 1. Accuſation.

4 To what ſort of people Commiſſions of inquirie ſhall be graunted. AB. Commiſſions 2. Commiſſions

5 An Eſcheator ſhall haue twenty pounds land at the leaſt, and execute his Office in his proper perſon. AL. 1. Henr. 8. touching the value of the land. Eſcheator.

6 The Statute of Labourers and Artificers confirmed. EXP. 5. Elizabeth. 4. Labourers.

7 Londoners, and none other ſhall ſell victuals by retaile. But no preiudice ſhall be done to Aliens, which haue Franchiſes by the kings Charters. EXP. Victuals.

8 Engliſh Merchants ſhall not paſſe into Gaſcoyne to fetch Wines, nor buy Gaſcoyne Wines, before they be landed in England. AL. 43. Edward. 3. 2. Wines.

14.Ed.3.7. 23,H.6.8. 9 Eſtreates ſealed ſhall be ſhewed to the party indebted, and totted. AB. Eſtreates 1. No Shirife, Vnder-ſhirife, or Shirifes Clerke ſhall abide in his office aboue one yeare. AB. Shirifes 4. Eſtreats.

25.Ed.3. 10 Children borne beyond the Seas within the Kings Dominions, ſhall inherite in England. AB. Abilitie 1. Forreines borne.

6.H.6.2. 11 Copies of Pannels ſhall be deliuered to the parties fiue dayes before the Iuſtices Seſſion. AB. Aſſiſe 8. Copies of Pannels.

Statutes made Anno 43. Edward. 3. & Anno *Domini* 1369.

27.Ed.3.1. ¶ 1 Whereas the Staple of Wools, Felles, and Leather hath been holden at Calice ſince the firſt day of March, Anno 37. Edw. 3. Now the Staple of Calice ſhall be wholly put out: and the Staples of Wools, Felles, and Leather ſhall be holden in theſe places vnder written, viz. at New-caſtle, Kingſton vpon Hull, S. Botulph, Yarmouth, Quinſborough, Weſtminſter, Chicheſter, Wincheſter, Exceter, and Briſtow. And the Staples of Ireland and of Wales ſhal be at the places where they were firſt ordeined. All Merchants, Aliens, and Denizens may goe through England, Ireland, and Wales, and buy and ſell Wools, &c. and other marchandizes. But no Wools &c. ſhall be tranſported, vntill they be brought to the Staples, and there weighed, cocketted, and cuſtomed. And the ſame Wools, Felles, and Leather may be tranſported by Aliens, but not by Denizens. CB. The Staple remoued.

2 En-

Wines. 2 English, Irish, and Welchmen, being not Artificers, may passe into Gascoigne to fetch Wine there, so that they finde sureties to buy a hundred Tunnes of their owne goods, and to bring the same into England, Ireland, or Wales, and not elsewhere, notwithstanding the Statute of 42. Edw. 3. 8.

Kings butler. 3 The Kings Butler, or his Lieutenants, shall take no more wine then he is comaunded. AB. Butler &c. 2. 25.Ed.3.21.

Pardon. 4 The Kings generall pardon of vert and venison to al men, sauing to the officers of his Forrests, Chases, and Parkes. EXP.

Statutes made at Westminster 3. die Martij, Anno 45. *Edward.* 3. *& Anno Domini* 1371.

Confirmation ¶ 1 The great Charter, and the Charter of the Forrest shall be obserued in all points.

Weares. 2 A Confirmation of the Statute of 25. Edward 3. 4. concerning pulling downe of Weares. And the penaltie of him that setteth vp againe the same Weares, or doth enhaunce them. AB. Weares 2.

Silua Cedua 3 A Prohibition shall be graunted where a suite is commenced in a spirituall Court for Silua cœdua. AB. Prohibition 5.

Imposition. 4 No Imposition or Charge shall be set vpon Wools, Felles, and Leather (sauing the Custome and Subsedie graunted to the King) without assent of Parliament.

Statutes made Anno 47. Edward. 3. & Anno *Domini* 1375.

Cloth. ¶ 1 The length and breadth of cloth of Ray, and cloth of colour. AB. Draperie 1. 17.R.2.1.

Scottish money. 2 The Scottish Groat shall be currant for three pence, and lesse money according to that rate. CR.

Statutes made at Westminster Quindena Hillarij, *Anno* 50. *Edward.* 3. *& Anno Domini* 1371.

Church. ¶ 1 The holy Church shall haue all her liberties in quietnesse, without impeachment.

Confirmation 2 The great Charter and the Charter of the Forrest shal be firmely kept in all points.

Pardon. 3 Because this is rightfully the yeare of the Kings Jubilie, therefore he doth pardon all his subiects (that will pursue their Charters before S. John Baptist) the suite of his peace, for all manner of felonies, Outlawries, &c. Except murders &c. But Sir William Wickham, Bishop of Winchester, shall not enioy the benefite of this pardon. EXP.

Consultation. 4 No Prohibition shall be allowed after consultation duly graunted. AB. Prohibition 9.

Arrest. 5 None shal arrest Priests carying the sweet body of Jesus Christ to sicke persons, or attending diuine seruice in Churches, Churchyards, and other places dedicated to God. AB. Arrests 1. 1.R.2.15.

6 Fran-

2.R.2.3. 13.Eliz.5. 6 Fraudulent aſſurances of lands or goods to deceiue Creditors, ſhall bee voide. AB. Fraudulent &c. 1. Fraud.

7.Ed.4.3. 3.H.7.11. 7 Woollen clothes ſhall not bee carried forth of the Realme, nor Subſedie demaunded for them, before they be ſulled. Cloth.

8 No Subſedie or Aulnage ſhall bee paied of clothes called Freeſe ware, made in Ireland or in England of Irish woll: becauſe they containe not the length and breadth ordained by the Statute. Irish cloth.

Statutes made at Weſtminſter Quindena Hillarij,

Anno 1.*Rich.rd.* 2 *& Anno Domini*

1377.

Holy Church ſhall haue all her Rites, Liberties, and Fraunchiſes, without blemiſh. The great Charter, (which at the requeſt of the Commons was read in Parliament) the Charter of the Forreſt, and all other Statutes not repealed, ſhall be obſerued. Church. Confirmation

2 The peace ſhall bee kept, and Juſtice ſhall bee indifferently done to all men.

14.Ed.3.1. 3 The Statutes made in the time of King Edward the third touching Purueyors, ſhall bee obſerued. Prelates ſhall haue their actions of Treſpas againſt Purueyors offending, and recouer treble damages. AB. Purueyors 2. Purueyors.

1.Ed.3.14. 20.Ed.3.4. 4 The penaltie of thoſe which doe maintaine any quarrels. AB. Maintenance 1. Maintenance

5 The punishment of a Clerke of the Exchequer making proces for a debt that is paied. AB. Exchequer 2. Exchequer.

6 Commiſſions ſhall be awarded to enquire of the miſbehauior of villeins to their Lords. CB. Villaines.

7 There ſhall bee no giuing of Liueries for Maintenance. AB. Liueries 1. Liueries.

8 In what caſes the Protection, cum Clauſula Volumus is not allowable. AB. Protection 2. Protection.

8.H.6.9. 11.H.6.3. 1.H.7.1. 9 A feoffement of lands or gift of goods for maintenance, ſhall bee voide. AB. Force 2. An Aſſiſe is maintenable againſt the perſon of the profites of lands. AL. 27.H.8.10. Maintenance

10 A Confirmation of the Pardon graunted by King Edw. 3. in the 50. yeare of his raigne. EXP. Pardon.

6.H.8.18. 23.H.6.8. 11 None that hath beene Shirife, ſhal againe be Shirife in the ſame Countie, within three yeares. AB. Shirifes 4. Sherife.

7.H.4.4. 12 The penaltie of the Warden of the Fleete, if he ſuffer a priſoner there being by iudgement to goe out of priſon by Baile or Bailon. AB. Eſcape 3. Confeſſion of a debt to the King, to delaie anothers execution. AB. Accompts &c. 50. Eſcape.

13 Eccleſiaſticall Iudges nor other ſhall bee indicted or impriſoned for ſuites in any Spirituall Courts for Tythes or other duties. AB. Eccleſiaſticall 47. Spirituall Courts.

14 If in an Action of goods taken away, the defendant maketh his title for Tythes due to his Church, the plaintife ſhall not haue a generall auerrement. AB. Tythes 42. Tithes.

50.Ed.3.5. 15 The penaltie for arreſting of Prieſtes in doing diuine ſeruice. AB. Arreſts 1. Arreſt.

Statutes

Statutes made at Glouceſter 21. Octobris
Anno 2. R. 2 Anno Domini 1378.

Merchants. ¶ 1 Merchants ſtrangers and denizens may buy and ſell all things vendible within this Realme. And the penaltie of the diſturbers of them. AB. Marchants 1. 9.Ed.3.1. 25.Ed.3.2. 11.R.2.7.

Foreſtaller. 2 A Confirmation of the Statute made 25. Ed. 3.3. againſt foreſtallers. AL.5.Ed.6.14.

Marchants. 3 Marchants of Jene, Venice, Cataloigne, Arragon, and other Countries of the Weſt may ſell their marchandiſes, and buy others, ſo that they carrie them towards the Weſt, and not towards the Caſt. CB.

Marriners. 4 If Mariners which bee retained to ſerue the King on the ſea, and haue received wages, doe depart without licence, they ſhall pay double of that which they haue received, and be one yeare impriſoned. AL.5.Eliz.5. for the penaltie.

Newes. 5 The penaltie for telling ſlanderous newes of the Peeres or great Officers of the Realme. AB. Newes 1. 3.Ed.1.33. 12.R.2.11.

Riots. 6 Riots, routs and vnlawfull aſſemblies, made by ſome people of Wales and other Countries adioyning, to ſeuerall euill purpoſes, ſhall bee repreſſed. HP.2.R.2.2.

Labourers. 7 All Statutes and Ordinances made of Artificers, Labourers, and ſeruants ſhall be put in execution. HP.5.Eliz.4.

Other Statutes made at Weſt. 15. Paſchæ the ſame An 2.
R.2. & Anno Dom. 1379.

Cõfirmation. ¶ 1 The Lawes of holy Church, the great Charter, the Charter of the Foreſt, and all the good lawes of the land ſhall bee kept, and put in execution.

Repeal. 2 A Repeale of the Statute of 2.Rich.2.6. Touching Riots, Routs &c. in Wales.

Fraudulent aſſurance. 3 If debtors doe make fraudulent feoffements of their lands, or deeds of their goods, to auoid their Creditors, and after doe reſort to priuiledged places, the ſame ſhall be voidable. AB. Fraudulent &c.1. 3.H.7.4. 13.Eliz.5.

Statutes made at Weſtminſter 16. die Ianuarij, Anno 3.
R.2. & Anno Dom. 1379.

Confirmation ¶ 1 A Confirmation of the Liberties and Franciſes of holy Church, and of all the good Lawes and Statutes not repealed.

Aulneger. 2 The penaltie of the Aulneger, which ſetteth his ſeale to cloth tacked together, or faultie, or which wanteth lawfull aſſiſe. AL.11.H.4.6.

Benefices of Aliens. 3 It was ordeined by the King, the Lordes Temporall and Commons, That if any ſhall take in ferme any Benefices of the Church in England of Aliens, or ſhall by erchaunge or otherwiſe conuey any money or wares vnto any of them, he ſhall incurre the penaltie contained in the Statute of Prouiſors, made Anno 27. Edw. 3. No Biſhop or other perſon ſhall meddle by the way of Sequeſtration, or in other manner, with the fruits of any benefice giuen to an Alien. AB. Premunire 2.3. 7.R.2.12.

Statutes

Statutes made at North-hampton 4. die Nouembris, *Anno* 4. *Richard.* 2. *&* *Anno Domini* 1380.

18.H.6.17. 1.R.3.13. 28.H.8.14. ¶ 1 All the veſſels of Wine, Honey, and Oyle, brought into England, Ireland, or Wales, which be not gauged, ſhall be forfeited. AB. Wines 13. — Gauging.

2 The Kings Pardon of eſcapes of Felons and Clerkes conuict, to them that will ſue their Charter out of the Chauncerie. EXP. — Pardon.

Statutes made at Weſtminſter Craſtino Animarum, *Anno* 5. *Richard.* 2. *&* *Anno Domini* 1381.

¶ 1 The Liberties and Franchiſes of holy Church, the great Charter, the Charter of the Forreſt, and all other good Statutes heretofore made, and not repealed, confirmed: And ſpecially the Statutes of Purueyors, made in the time of King Edw. 3. — Confirmation

2.H.4.5. 9 Ed.3.1. 12.R.2.8. 13.Eliz.3. 2 No man ſhall tranſport gold or ſiluer without the Kings licence. AP. Money 3. No man ſhall depart this Realme (certaine perſons excepted) without the Kings licence. EP.4.Iacob.1. — Depart the Realme.

6.R.2.8. 4.H.7.10. 3 None of the Kings ſubiects ſhall carry forth or bring into this Realme any marchandize, but onely in ſhippes of the Kings allegiance, vpon paine of forfeiture of the ſame. EP.1.Eliz.13. — Shippes.

4 The prices of ſeuerall ſorts of wines ſold, in groſſe, or by retaile. AL.28.H.8.14. And how much the price ſhalbe encreaſed for carriage. And the authoritie of Mayors, Baylifes of Cities, Boroughes, &c. to ſell vnreaſonable and wilfull mens wines. No ſweete Wine ſhall bee ſolde by retaile. AL.6.Richard.2.7. — Wines.

5 The Kings Pardon graunted to thoſe that repelled or toke reuenge of his Rebels. EXP. — Pardon.

6 Manumiſſions, Obligations, Releaſes, and other bonds, and all entries into lands, by dureſſe, or compulſion, in the time of the late tumult, ſhall bee voide. EXP. — Dureſſe.

15.R.2.2. 8.H.8.9. 7 The penaltie where any doth enter into lands, but where his entrie is giuen by the law, or then with force. AB. Force 1. — Forcible entrie.

6.R.2.4. 8 They which find themſelues greeued with their Charters, Releaſes, Obligations, and other deeds burned, deſtroyed, or eloined in the late Inſurrection, ſhall put their complaint diſtinctly vnto the King, and his Counſell, and make ſufficient proofe of the ſaid Muniments loſt and of the forme and tenour of the ſame. And ſuch remedie ſhall be prouided as ſhall ſeeme beſt, ſauing the law. EXP. — Writings deſtroyed.

9 Euery man that is impeached in the Exchequer, may plead in his owne diſcharge, without ſuing any Writ, or other commaundement. AB. Exchequer 3. — Exchequer.

10 The Couenants of thoſe which ſhall bee retained to ſerue the King in his Warres, or Embaſies, ſhall be committed to writing, and ſent into the Exchequer. AB. Exchequer 4. — Couenants for the Kings ſeruice.

11 The

11 The accounts in the Exchequer shall bee shortlier heard and made then they had wont.

Clerkes of Parcels. 12 Two Clerkes shall be assigned to make parcels of Accounts in the Exchequer. AB. Exchequer 5.

Nihil. 13 Accounts of Nihil shall be put out in the Exchequer. And he that will sweare that he oweth nothing to the King, shall be discharged. AB. Exchequer 6.

Exchequer. 14 The Clerke of the Pipe, and the two Remembrancers shall be sworne for the entrie of Writs of the great and privie Seale euery Terme. And to make Schedules and Certificates &c. AB. Exchequer 7.

Liuery. 15 When a iudgement of Liuerie commeth from the Kings Bench into the Exchequer by Mittimus, the Remembrancer shall cause the suite to cease without making new iudgement, or proces. Quære how much. AL. 33. H. 8. 22.

Clerkes fées. 16 The fée of a Clerke of the Exchequer for making a Commission or Record of Nisi prius, shall bee but two shillings onely, as it had wont to bee. Q. Quære.

Other Statutes made at West. 20. die Aprilis,

Anno 5. Rich. 2. & Anno Dom. 1382.

Marchants strangers. ¶ 1 Marchants strangers of all Countries (being in amitie with the King) may come into, continue, and depart forth of the Realme at their pleasures. AB. Marchants 1. 9 H. 3. 30. 9 Ed. 3. 1. 25 E. 3. 2.

Marchandise. 2 Wolls, felles, and leather may be carried into any Countrie (sauing France) by any Merchants Aliens, or Denizens. Some money shall bee abated to them that will pay their Customes and Subsidies before hand. EP.

Subsidie. 3 A Subsidie graunted to the King, so that the money be wholly imployed vpon the safe keeping of the sea. EP.

Parliament. 4 Euery person to whom it belongeth, shall vpon Summons come to the Parliament. AB. Parliament 1.

Heresies. 5 Commissions shall be directed to Shiriffes and other, to apprehend such as shall be certified by the Prelates to bee preachers of heresie, their fautors, mainteiners, and abbettors, and to hold them in strong prison, vntill they will iustifie themselues, according to the law of holy Church. EP. 1. Edw. 6. 12. 1. Eliz. 1. 2 H. 4. 15. 2 H. 5. 7.

Statutes made at Westminster Octabis Michaelis,

Anno 6. Rich. 2. & Anno Dom. 1382.

Confirmation of Statutes. ¶ 1 The Liberties of the holy Church, the Statutes of Magna Charta, Charta Foreſtæ, and all other Statutes not repealed, shall be duly obserued.

Proces. 2 Actions of debt &c. shall be commenced in the Counties where the contracts were made. AB. Proces 1.

Nusance. 3 In what Courts Writs of Nusance, called Nicountels, shal be pursued. AB. Nusance 1.

Exemplification. 4 Deeds that were before this time inrolled in the Chancerie, either bench, or exchequer, which were torne or imbeasiled in the late insurrection, being duly exemplified vnder the Kings great seale, shall bee of that effect, as the same deeds should haue beene. EP. 5 R. 2. 8.

5 Iustices

12.Ed.2.6 5 Iuſtices of Aſſiſe and Gaole deliuery ſhall hold their Seſſions in principall townes &c. AB. Iuſtices of Aſſiſe &c. 6. Seſſions.

6 The penalties of both the parties, where a woman rauiſhed doth conſent. AB. Rape 3. Rape.

7 Sweet wines may be ſold at the prices that wines of Gaſcoin and Ryne ſhall be ſold, and not aboue, vpon paine of forfeiture of the ſame. Notwithſtanding the ſtatute of 5.R.2.4. AL. 28.H.8.14. Wines.

8 An alteration of the ſtatute of 5.R.2.3. reſtraining the carrying forth or bringing in of marchandiſes, but onely in Engliſh ſhippes, where no Engliſh ſhippes are to be had. Shippes.

1.H.4.17. 9 No Victualler ſhall haue or execute any iudiciall office in any Citie, Borough, Towne, or Port of the ſea, but where no other ſufficient perſon may be found to exercile the ſame, in which caſe yet during the time of his office hee ſhall abſtaine from victualing, vpon paine of forfeiting the victuals ſo ſold. AL. 3.H.8.8. Victualler.

14.H.6.6. 11.R.2.11. 10 Aliens being in amitie with the King and the Realme, which bring in victuals, may ſell them in groſſe, or by retaile. AB. Victuals 2. Victuals.

11 Hoſtes in Cities, Boroughs, Townes, and places vpon the ſea coaſts, ſhall not embrace or foreſtall herrings, or other fiſh or victuals, vnder the colour of any Cuſtome, Priuiledge, or Charter, or be any impediment to Victuallers to ſell their victuals. Fiſhmongers of London ſhall not buy ſea fiſh or freſh fiſh to ſell againe, but Eeles, Luces, and Pikes. HP. 7.R.2.11. Hoſtes. Fiſhmongers.

12 The Maior of London, and all other chiefe officers of cities and townes corporate, vpon their new creations ſhall be ſworne to obſerue the foreſaid ordinances, made for Fiſhmongers and Victuallers. HP. 7.R.2.11. Officers oths

13 The Kings Pardon after the late inſurrection, to his ſubiects, (certaine excepted) whereof one of them did let William Wolworth, Mayor of London, to ſhut the gates of the citie againſt the Rebels. EXP. Pardon.

Other Statutes made at Weſtminſter the ſame An.
6.R.2. & Anno Dom. 1383.

¶ 1 Another more ample Pardon made by the King to his ſubiects, and with fewer exceptions. EXP. Pardon.

2 He that will attempt any ſuite for any treſpas done him in the late inſurrection, ſhall begin it before 15. Iu. next comming, or els hee ſhall bee for euer barred. EXP. Suites

3 They which can proue by witneſſes, that they came not willingly, but by compulſion to do hurt in the time of the Inſurrection, ſhall be diſcharged of any actions of treſpas purſued againſt them. EXP. Inſurrection.

Statutes made at Weſtminſter 28. die Octobris, An.
7.R.2. & Anno Dom. 1383.

¶ 1 Holy Church ſhal enioy all her Liberties and Franchiſes, as ſhe hath done in the time of the Kings Progenitors. Church.

2 The great Charter, the Charter of the Forreſt, and all other Statutes not repealed, confirmed. Confirmation

3 A Iurie for a Treſpas within a Forreſt, ſhall giue their verdict, where they receiue their charge. AB. Forreſt 1. Forreſt.

Foꝛreſt. 4 None ſhalbe taken oꝛ impꝛiſoned by the officers of the Foꝛreſt, without inditement. AB. Forreſts 2.

Vagabonds. 5 A confirmation of the Statute of 5. Edward. 3. 14. made againſt Roberdſmen and Dꝛaw-latches. The Juſtices of Aſſiſe, Juſtices of Peace, Sheriſes, Mayoꝛs, Baylifes, Conſtables, &c. ſhall examine Vagabonds, and bind them with ſureties to their good behauiour: Oꝛ in default thereof commit them to the Gaole, and there to receiue ſuch puniſhment as ſhall ſeeme good to the Juſtices of Gaole deliuerie by the Lawe. HP. 39. Elizabeth. 4.

Stat. Wintoñ. 6 The Statute of Wincheſter confirmed. And euery Sheriſe ſhall pꝛoclaime it foure times in the yeare. AB. Sherifes 31.

Niſi pꝛius by a Juroꝛ. 7 A Niſi prius ſhall bee graunted at the ſuit of any of the Juroꝛs, as well in the Exchequer, as befoꝛe any of the Juſtices, if the parties after the great diſtreſſe thꝛee times ſerued do refuſe it. Q. an CB.

Puruеyance. 8 No ſubiects Chatoꝛ ſhall take any victuals oꝛ cariage againſt the owners conſent. AE. Puruciors 1.

Cloth. 9 All Statutes confirmed, made againſt deceit found in clothes to bee ſolde, and againſt Aulnegers and Collectoꝛs of the Subſedie of the ſayde clothes. And hee that findeth default in any of the ſaid clothes, contrary to foꝛmer Statutes, ſhall haue the third part of the foꝛfeiture. HP. 5. Edward. 6. 6.

Aſſiſe. 10 Aſſiſe of Kent going fooꝛth of landes in ſeuerall Counties. AB. Aſſiſe 7.

Fiſhers. 11 A Repeale of the Statute made Anno 5. & 6. R. 2. 11. Touching fiſhers of London, Victuallers, Vinteners, &c.

Alien. Benefice. 12 No Alien ſhall purchaſe any Benefice of the Church within this Realme, oꝛ occupie the ſame without the Kinges Licence. AB. Præmunire 4. 3.R.2.3. 1.H.5.7.

Ride armed. 13 No man ſhall ride in harneis within this Realme, noꝛ with Launcegaies, which be clearely pꝛohibited. AB. Armour 1. 2.Ed.3.8 20.R.2.1.

Atturney. 14 They which ſhall depart the Realme by the Kings licence, may make generall Atturneyes. AB. Atturney 2.

Maintenance 15 A confirmation of the Statute of 1. Ed. 3. 14. 4. Edw. 3. 11. & 1. R. 2. 4. Oꝛdained againſt Maintenance and Champertie.

Scotland. 16 Whoſoeuer ſhall carry oꝛ ſend any Armour oꝛ Victuall into Scotland, without the Kings licence, ſhall foꝛfeit the ſame, and the Shippes, Carts, and Hoꝛſes, which do carry them. HP. 4. Iac. 1. 15.R.2.7.

Dammages. 17 The Mainpernoꝛs ſhall ſatiſfie the plaintife foꝛ his delay, by the diſcretion of the Judges, where the Defendant kepeth not his day vpon Mainepꝛiſe. HP.

Statutes made at Weſtminſter Craſtino Martini, *Anno 8. Richard. 2. & Anno Domini 1384.*

Confirmation ¶ 1 All the Liberties of holy Church, the great Charter, the Charter of the Foꝛreſt, and all other Statutes not repealed, confirmed.

Juſtice of Aſſiſe. 2 No man of Law ſhall bee Juſtice of Aſſiſe oꝛ Gaole Delinerie in his owne countrey. AL. 33. H. 8. 24. The chiefe Juſtice of the common Bench ſhall bee aſſigned to take Aſſiſes, and deliuer Gaoles. But the chiefe Juſtice of the Kings Bench ſhall dos as he had wont to doe by the ſpace of an hundꝛed yeares befoꝛe. 13.H.4.2.

3 None

3 None of the Iuſtices of eyther Bench, or Barons of the Exchequer ſhall take any fee or reward, but of the King, nor ſhall giue counſell where the King is partie: Or in any plea depending before him, vpon paine of loſſe of his Office, and making fine and ranſome to the King. HP. 9. Richard. 2. 1. Iuſtices of the Benches.

4 The penaltie if a Iudge or Clerke doe make a falſe entrie of a plea, raſe a Roll, or change a Verdict, whereby any perſon is diſinherited. AB. Records 6. A Record falſified.

Statutes made at Weſtminſter 21. die Octobris, An. 9. R. 2. & Anno Dom. 1385.

¶ 1 All former Statutes not repealed, confirmed: ſauing the Statute of 8. Rich. 2. 3. Concerning Iuſtices and Barons, which ſhall bee repealed. Confirmation

2 Villeines flying into places enfranchiſed, and ſuing their Lordes. AB. Villeines 2. Villeines.

3 He in the Reuerſion ſhall haue a Writ of Error or Attaint vpon a iudgement giuen againſt the particular tenant. AB. Error 1. Error. Attaint.

4 The triall ſhalbe by the Ordinarie, whether a Prior be datiſe and remouable, or perpetuall. CB. Prior datife.

2.H.4.23. 5 Eccleſiaſticall perſons taken in the Marſhalſie of the Kings houſe, ſhall pay ſuch fees as others doe, and none other. AB. Marſhall 6. Priests.

¶ 1 A Statute made Anno 10. Rich. 2. & Anno Domini 1386. Giuing commiſſion to certaine great Counſellors and Noblemen, to enquire of, and reforme diuers abuſes in the Realme. HP. 21. Rich. 2. 2. Commiſſion.

Statutes made at Weſtminſter Craſtino Purificationis, Anno 11. Richard. 2. & Anno Dom. 1387.

¶ 1. 2. 3. 4. 5. 6. The Attainder of diuers Noblemen and others of high Treaſon, and the confiſcating of their lands and goods. And the acquiting of certaine others which did ſubdue them. HP. 21. R. 2. 12. Anñ 1. H. 4. confirmed. Attainder.

7 A confirmation of the ſtatute made 9. Ed. 3. 1. & 25. Ed. 3. 2. authoriſing all Marchants, Aliens, and Denizens to buy and ſell within this Realme all things vendible, without interruption. Marchants.

8 All annuities, and other things, giuen or graunted by the King, his father, or grandfather, to any perſons, with this clauſe, Quouſque pro ſtatu ſuo aliter duxerimus ordinandum, ſhal be void, if the ſame perſons haue after accepted any thing of the King, his father, or grandfather. HP. K. Patents

9 No Impoſition or Charge ſhall be put vpon Wools, Felles, or Leather, other then the Cuſtome and Subſidie graunted to the King in this Parliament. HP. Impoſition

2.Ed.3.8. 10 The Kings Signet or priuie Seale ſhall not be vſed in preiudice of the Realme, nor in diſturbance of the law. AB. Iuſtice 1. Iuſtice

11 The keeping of Aſſiſes in good Townes, referred to the conſideration of the Chancelor and Iuſtices, notwithſtanding the Statute of 6. Rich. 2. 5. AB. Iuſt. of Aſſiſe &c. 6. Aſſiſes

Statutes made at Canterburie 9. die Septembris, An. 12. *R. 2. & Anno Dom. 1388.*

Confirmation ¶ 1 Holy Church ſhall haue all her Liberties and Fraunchiſes, the great charter, the charter of the Foreſt, and all other Statutes not repealed, ſhalbe obſerued.

Officers. 2 None ſhalbe placed in any office for affection, neither any that doth labor for it, but the moſt ſufficient men. AB. Offices 1.

Seruants. 3 No ſeruant vpon pain to be put in the ſtocks, ſhal depart out of the Hundred where he laſt dwelled, or goe on Pilgrimage without licence vnder the Kings Seale. Which Seale ſhal be kept by ſome good man of the Hundred to be appointed by the Juſtices. HP. 5. Eliz. 4.

Wages. 4 The ſeuerall wages of ſeuerall ſorts of ſeruants in huſbandry. HP. 5. Eliz. 4. 4. H. 8. 5.

Huſbandrie. 5 He or ſhe that laboureth in huſbandry, vntill twelue yeares of age, ſhal not after be put to any handycraft. HP. 5. Eliz. 4.

Armour. 6 No ſeruant in Huſbandry, or Labourer ſhall weare any Buckler, Dagger, or ſword, &c. AB. Armor 2. But ſhal vſe Bowes and Arrowes, and leaue all vnlawfull games. HP. 33. H. 8 9. 11. H. 4. 4.

Beggers. 7 Euery perſon that goeth a begging, and is able to labour or ſerue, ſhall be ſet in the Stockes, except religious people and Heremites. Schollers of the Vniuerſity that go a begging, ſhal haue letters Teſtimoniall of their Chancelors. HP. 1. Ed. 6. 3.

Trauailers. 8 They which trauaile forth of the Realme, ſhall not doe it without Teſtimonials. 5. R. 2. 2.

Labourers. 9 The Statute of Labourers and ſeruants ſhall be executed within Cities, Boroughes, and Franchiſes. Gaolers ſhall receiue offendors committed to priſon, without letting them to Baile, or taking any fee. HP. 5. Elizabeth. 4.

Iuſt. of peace. 10 There ſhall bee but fiue Juſtices of Peace aſſigned in euery Countie, with the Juſtices of Aſſiſes. How many Seſſions of the Peace they ſhall yearely hold, and for how long time: And what wages they ſhall haue. AB. Iuſt. of Peace 5. 6. 2. H. 5. 4.

Newes. 11 The puniſhment of him which telleth falſe newes of the Peeres or great Officers of the Realme, and cannot finde him which ſpake the words. AB. Newes 1. 3. Ed. 1. 33. 2. R. 2. 5.

Parliament. 12 Lords or Spirituall perſons purchaſing lands contributorie to the expences of the Knights of the Parliament. AB. Parliament 11.

Infection. 13 If any ſhall caſt intrailes of beaſts, dung, or other corruption into any ditch, water, or other place, neere to a Citie or Towne, to infect the aire, or breed diſeaſes: he that findeth himſelfe grieued therewith, ſhall haue a writ to call him before the Chancelor, by whoſe diſcretion he ſhal be puniſhed. Q. for the vſe hereof.

Cloth. 14 A Confirmation of the Statute made 47. Ed. 3. 1. Touching the length and breadth of clothes of Ray, and clothes coloured.

Prouiſor. 15 If any of the Kings ſubiects ſhall goe or ſend out of the Realme to prouide a Benefice within the Realme, without the Kings licence, he ſhall be out of the Kings protection, and the Benefice ſhall be void. CB.

Staple. 16 The Staple ſhall bee remoued from Middleborough to Calice. AL. 14. Rich. 2. 1. 2. H. 6. 4.

Statutes

Statutes made at Weſtminſter 16. die Ianuarij, Ann. *13. R. 2. & An. Dom. 1389.*

¶ 1 A Confirmation of the ſtatute made 25. Ed. 3. 3. Touching the examination of the Kings title to a Benefice, when he preſenteth in anothers right. And the Kings Preſentée ſhall not be receiued, vntil he hath recouered by law. AB. Incumbent 1. — Preſentation. — 4. H. 4. 22.

2 It appertaineth to the Conſtable of England to haue cogniſance of contracts touching deeds of armes, and of warre out of the Realme, and of things touching warre within the Realme, which may not be determined by the common law. And if the Conſtable and Marſhall hold plea of any thing determinable by the common law, a priuie Seale ſhall be directed to them to ſurceaſe, vntill it be diſcuſſed by the Kings Counſell, if the matter do appertaine to that Court. CB. — Conſtable of England. — 28. Ed. 1. 3. — 33. H. 8. 12.

3 The Steward and Marſhals court and authority ſhal not paſſe xy. miles from the Kings lodging. AB. Marſhall 3. — Marſhall.

4 The duty of the Clerke of the Market of the K. houſe. AB. Clerke &c. 1. — Clerke of the Market.

5 With what things onely the Admirall and his deputie ſhall meddle. AB. Admirall 1. — Admirall. — 2. H. 4. 11.

6 There ſhall be but xxx. Serieants at Armes, who ſhall meddle with nothing but touching their office: And they ſhall doe no extortion. — Serieants at Armes.

7 Iuſtices of peace ſhalbe aſſigned of the moſt ſufficient Knights, Eſquires and men learned in the law, and ſhall be ſworne to put in execution all Statutes touching their Offices. AB. Iuſt. of Peace 1. 4. — Iuſtices. — 2. H. 5. 1.

8 An Hoſtler ſhall not make Horſe-bread, but Bakers ſhall do it, and the weight ſhall be reaſonable, according to the price of corne. And he ſhall ſell hay and oates at a reaſonable price. AB. Inholders 2. — Hoſtler. — 23. Ed. 3. 6

9 There ſhall bee one weight and one meaſure through the Realme, except in the Countie of Lancaſter, where the meaſure hath beene vſed to be greater. — Weight.

None ſhall buy or ſell Wools but at 14. l. the Stone, or make any refuſe of Wools, but Cot, Gare, and Willein. Gold packing, cocketting of Wools. AB. Weights 1. 3. Wools 10. — Woll.

10 Cogware and Kendall clothes may be made of ſuch length and breadth as they haue beene, notwithſtanding any former Statutes. — Clothes. — 47. Ed. 3. 1. — 12. R. 2. 14.

11 No plaine cloth of the Counties of Somerſet, Glouceſter, Dorſet, or Briſtow, tacked or folded, ſhalbe put to ſale before they be opened, that the buyers may ſee them. But the Marchants which buy them, may fold the together. AB. Draperie 87. — Tacked cloth. — 11. H. 4. 6.

12 No Shoemaker ſhall be a Tanner, nor Tanner a Shoemaker. HP. 4. H. 4. 35. — Shoemaker.

13 None ſhall hunt but thoſe which haue ſufficient liuing. AB. Hunters 1. — Hunting.

14 There ſhall be no Bands of the Double in the Exchequer for the Kings debt. AB. Exchequer 8. — Exchequer Bands.

15 The Kings Caſtles and Gaoles which were wont to bee ioyned to the bodies of Counties, and be now ſeuered, ſhall be reioyned. — Gaoles.

16 In what caſe the protection Quia profecturus, or Quia moratur ſhall bee allowed, and in what not. And in what it may be repealed. AB. Protection 3. 4. — Protection.

17 Where he in the Reuerſion may bee receiued, in a ſuite commenced againſt the particular tenant. AB. Receit 3. — Receit.

18 Vpon a falſe verdict giuen before the Mayor and Bayliffes of Lincolne, — Lincolne. — 3. H. 5. 5.

by any Aſſiſe, Jurie, or Enqueſt, the party which findeth himſelfe grieued, may
Attaint. haue an Attaint in the Kings Bench or Common place. And the Sherife ſhall returne forreines of the County of Lincolne, without ſending to the franchiſe of the ſame Citie. HR.

Salmons. 19 A Confirmation of the Statute of 13. Ed. 1. 47. Touching the prohibiting of Salmons to be taken certaine times of the yeare. AB. Fiſh 1.

Paſſage. 20 None ſhall paſſe forth of the Realme without the Kings licence, but at the ports of Douer and Plimmouth, ſauing Marchants and Souldiors. And ſauing ſuch as paſſe into Ireland. CB. 9.Ed.3.8 4.Ed.4.10.

Other Statutes made at Weſtm. 16. die Ianuarij, An. 13.

R. 2. & Anno Dom. 1389.

Pardon. ¶ 1 In a Pardon of Murder, Treaſon, Rape, &c. the offence committed ſhall be ſpecified. AB. Pardon 3. The forfeiture of him, at whoſe ſuite ſuch a Pardon is obtained. HP. 16. Rich. 2. 6.

Prouiſors. 2 The Statute of Prouiſors made 25. Edw. 3. confirmed. And if any doe accept a Benefice of the Church, contrarie to the ſaid Statute, he, his Receiuers, Procurators, Notaries, Executors, and Summoners ſhall bee baniſhed out of the Realme. AL. 13. Eliz. 2. touching the penaltie.

Prouiſors. 3 If any bring or ſend within the Realme any Summons, Sentence, or 2.H.4.4.
excommunication againſt any perſon for the cauſe of making motion, aſſent, or execution of the ſaid ſtatute of Prouiſors, he ſhal loſe lands, goods, and life. AL. 13. Eliz. 2. viz. made Treaſon.

Statutes made at Weſtminſter 12. die Nouembris,

Anno 14. R. 2. & Ann. Dom. 1390.

The Staple. ¶ 1 The Staple ſhalbe remoued from Calice to thoſe townes in England 43.Ed.3.1.
which be named Ann 27. Ed. 3. 1. Euery alien that bringeth Marchandiſe into this Realme, ſhall find ſureties to the Cuſtomers, to beſtow halfe the value thereof in the commodities of this land. CB. 12.R.2.16. 2.H.6.4.

Marchants Exchanges 2 For euery Exchange to be made by Marchants, they ſhalbe bound in the Chancerie, to buy within three moneths after, commodities of the land, to the value of the thing exchanged, vpon paine of forfeiture. HP. 11.H.4.8. 9.H.5.9.

Staple. 3 In euery place where the Staple is, the officers ſhalbe firſt ſworne to the King, and then to the Staple.

Woll. 4 No Denizen ſhall buy any Wools, ſauing of the owners of the ſheepe, or tythe Woll, but in the Staple. Neither ſhall he regrate Wools or other Marchandiſe of the Staple. AB. Wools 1.

Tranſporting 5 No Denizen ſhall carry Woll, Fels, Leather, or Lead out of the realme, vpon paine of forfeiture thereof, but onely ſtrangers. CB.

Fraights. 6 Engliſh Marchants ſhall fraight onely in Engliſh ſhippes, ſo that the owners of them take reaſonable for their fraight. CB.

Tinne. 7 Tinne ſhall paſſe out of the Realme only at the Port of Dartmouth. HP. 15. Rich. 2. 8.

Gauging. 8 No perſon ſhall be impeached for not gauging of Kenith Wines. AL 18. H. 6. 17. 1. Rich. 3. 13. Sed Q.

Aliens. 9 Marchants ſtrangers repairing into this Realme, ſhall bee courteouſly vſed. AB. Marchants 1.

Cuſtomer. 10 No Cuſtomer or Controller ſhall haue any ſhip of his owne, nor his office, but at the Kings pleaſure. AB. Cuſtomes 21, Offices 3. 17.R.2.5. 1.H.4.13.

11 In

11 In euery countie there ſhall be vij. Juſtices of peace. The Juſtices wages and eſtreits. AB. Iuſt. of P. 7. J. of peace.

12 The groat, half groat, peny, and halfe peny of Scotland, ſhal be half ſo much of Engliſh money. CB. Scottiſh money.

Statutes made at Weſtminſter Craſtino Animarum, Anno *15. R. 2. & Anno Domini 1391.*

5. R. 2, 7. 8. H. 6. 9. ¶ 1 A Confirmation of all good ſtatutes not repealed.

2 The duetie of Juſtices of peace where any forcible entrie is made into lands. AB. Force 2. Forcible entrie.

3 In what places the Admirals Juriſdiction doth lye. AB. Admirall 2. Admirall.

1. H. 5. 10. 4 There ſhall bee but eight buſhels of corne ſtriked to the Quarter. AB. Weights 3. Meaſure.

5 It is Mortmaine if a ſpirituall perſon doth take the profit of land, whereof another is ſeiſed to his vſe: or if any lands be imployed to a Churchyard, or to a Guild, or to the vſe of a Corporation. AB. Mortmaine 1. 3. 4. Mortmaine.

4. H. 4. 12. 6 In all Appropriations of Benefices there ſhall be prouiſion made for the poore, and a Vicar. AB. Eccleſiaſticall &c. 33. Appropriat.

7 Armour, corne, or victuall, may be carried to Barwick, notwithſtanding the ſtatute of 7. R. 2. 16. which ſtatute of 7. R. 2. is HP. 4. Iac. 1. Barwick.

8 A Repeale of the ſtatute of 14. R. 2. 7. prouided againſt the carrying of Tynne forth of the Realme at Dartmouth onely. Tynne.

23. H. 8. 6. 9 The penaltie of the Maior of the Staple if hee doe receiue any recognizance for the recouery of a debt, otherwiſe then is limited by the Statute of 27. Ed. 3. 9. AB. Statutes 4. Statutes.

10 No Fuller or other perſon ſhall buy within the Counties of Surrey, Suſſex, and Southampton clothes, called Gilford clothes, before the ſame bee fulled, fully perfourmed in his nature and ſealed, vpon paine of forfeiture of the ſame. HP. 5. Ed. 6. 6. Cloth.

11 Girdlers may worke their girdles with white mettall. HP. 1. Iac. 25. Girdlers.

32. H. 3. 22. 16. R. 2. 2. 12 No man ſhall be compelled to anſwer for his freehold, before the Counſell of any Lord. AB. Freehold 1. Freehold.

Statutes made at Weſtminſter Octabis Hillarij, *Anno 16. R. 2. & An. Dom. 1392.*

9. Ed. 3. 1. 25. Ed. 3. 2. 11. R. 2. 7. ¶ 1 No Marchant ſtranger ſhall buy or ſell with amother Marchant ſtranger to ſell againe within the Realme. Neither ſhal any Marchant ſtranger ſell any Marchandiſe by retaile, but victuals. They ſhall ſell wines and ſpices by whole veſſels and Bales. No alien ſhall carrie any ſpicerie forth of the Realme after it is brought in, vpon paine of forfeiture thereof. Q. for the vſe. Marchants aliens.

25. R. 2. 12. 32. H. 3. 22. 2 He ſhall forfeit 10. l. which doth compell any man to anſwer for his freehold, before the counſell of any Lord or Lady. AB. Freehold 1. Freehold.

3 The Clerke of the Market ſhall haue with him all his weights and meaſures ſigned. AB. Clerke of the Market 1. Clerke of the Market.

20. R. 2. 2. 4 No yeoman or other vnder the degree of an Eſquire, ſhall weare the liuerie of any man, if he be not his meniall, and continually dwelling in his Lords houſe. And Juſtices of peace ſhall haue authoritie to enquire of, and puniſh the offendors by their diſcretion. AL. 8. Ed. 4. 2. Liueries.

5 Præmu-

Premunire. 5 Premunire for purchaſing Bulles, or other inſtruments from Rome. AB Premunire 5. The Crowne of England hath beene ſo free at all times, that it hath beene in ſubiection to no Realme, but immediately ſubiect to God, and to none others in all things, which Regalitie in all points, the Lords ſpirituall, temporall, and Commons promiſed with all their power and force to maintaine, and defend: and that the Biſhop of Rome, ſhall not haue authoritie to make Tranſlation of Biſhopricks within this Realme, nor of any perſons out of the Realme, without the Kings conſent.

Pardon. 6 A Repeale of ſo much of the Statute of 13. Rich. 2. 1. as concerneth the forfeiture of him which obtaineth a pardon contrary to the ſaid Statute.

Statutes made at Weſtminſter, 15. Hillarij, Anno *17. R. 2. & Anno. Dom. 1393.*

Money. ¶ 1 No perſon ſhall melt a groate or halfe groate to make veſſell or other thing thereof. AB. Money 7. No forraine money ſhall be currant in England, but ſhall be molten for coyne. No Exchaunge ſhall be of Engliſh money with Scotiſh money vpon paine of forfeiture, impriſonment, fine, and Ranſome. CB. 9. Ed. 3. 3.

Clothes. 2 Euerie man may make and ſell kerſies and other clothes of any length or breadth, paying the Aulnage, Subſedie, and other duties, notwithſtanding any Statute, &c. But there ſhall be no deceit in them. RP. 5. Ed. 6. 6. 47. Ed. 3. 1.

worſteds. 3 What ſorts of Worſteds may be carried forth of the Realme, and what not. AB. Worſteds 5.

Mault. 4 Mault ſold to London ſhalbe cleanſed from the duſt, that the buyers may haue viij. buſhells of cleare mault to the Quarter. 2. Ed. 6. 10.

Offices. 5 No Sercher, Gaugeor, Aulneger, Cuſtomer, &c. ſhall haue any aſſured eſtate in his office, but bee remooueable at the Kings pleaſure. AB. Offices 3. 14. R. 2. 10. 1. H. 4. 13. 31. H. 6. 5.

Suggeſtion 6 Upon an vntrue Suggeſtion made in the Chancerie againſt any man, the Lord Chancellor may award him dammages. AB. Suggeſtion 1.

Coyne. 7 Licence graunted to all the Kings ſubiects to carrie coyne forth of the Realme to any place, ſauing to the Kings enemies. But the Kings Councell may reſtraine the paſſage when they will. AL. 1. & 2. Philip. & Marie 5. 4. H. 6. 5.

Riots. 8 The Sherifes and other the Kings officers ſhall ſuppreſſe, and impriſon all ſuch as make any vnlawfull aſſemblies, riots, or routs againſt the peace. AL. 13. H. 4. 7.

Salmons. 9 The Juſtices of peace ſhall be conſeruators of the Statutes made 13. Ed. 1. 47. & 13. R. 2. 19. touching the preſeruation of Salmons. AB. Fiſh. 1. Iuſtices 41.

Gaoledeliuery 10 In euery Commiſſion of the peace through the Realme where néede ſhalbe, two men of the Law of the ſame County, where ſuch commiſſion ſhalbe awarded, ſhalbe aſſigned to proceede to the deliuerie of felons, as often as they ſhall thinke it méete. AB. Iuſtices of peace. 1. 18. Ed. 3. 12. 34. Ed. 3. 1.

Statutes made at Weſtminſter, 22. die Ianuarij. *Anno 20. R. 2. & Anno Dom. 1396.*

Armour. ¶ 1 No man ſhall goe or ride armed. AB. Armour. 1. Launcegaies ſhall be cleare put out. The Statute of 1. R. 2. 8. touching giuing of Liueries confirmed. 7. R. 2. 13.

2 No

16.R.2.4. 2 No man vnder an Eſquier, ſhall weare the Liuery of any Lord, vnleſſe he be his meniall ſeruant or officer. AL.8.E.4.2. Liueries.

3 No man ſhall ſit vpon the Bench with the Iuſtices of Aſſiſe. AB. Iuſt. of Aſſiſe 4. I. of Aſſiſe.

4 A Confirmation of ſo much of the ſtatute of 28.E.3.13. as giueth licence to ſtrangers ſhips laden towards England not to be compelled to come thither, or not to tarrie there. Strangers ſhips.

28.Ed.1.3. 3.Ed.1.21. 5 Whoſoeuer ſhall take any horſe, or other beaſt, vpon pretence to ſerue the king, without ſufficient warrant, ſhalbe impriſoned vntill he hath ſatiſfied the partie. AL.28.H.6.2. for the penaltie. Takers of horſes.

6 Licence granted to Belknap, Holte, and Burghe, to returne out of Ireland into England. Notwithſtanding the Statute of 11.R.2.1. &c. Belknap.

Statutes made at Weſtminſter 16. die Septembris, Anno 21.

R.2. & Anno Dom. 1397. All the Statutes made at this Parliament are repealed. Anno 1.H.4.3.

¶ 1 The liberties of holy church, of the Lords ſpirituall and temporal, and of all cities and boroughes confirmed. Liberties.

2 A Repeale of a Commiſſion granted to certaine Noble men, to enquire of, and reforme diuers abuſes in the Realme, and of a Statute made 10.R.2. to ratifie the ſame, with all things therupon depending, as a thing traiterouſly done. And no ſuch commiſſion ſhalbe hereafter granted. Repeale.

3 It ſhall be adiudged high Treaſon for any man to compaſſe the death of the King, to depoſe him, or to make warre againſt him within the Realme, or to render vp his homage. Treaſon.

4.5.6.7.8.9.10.11.12.13.14. The puniſhment of diuers traiterous Conſpiracies and practiſes intended againſt the King, and means deuiſed to preuent the like in time to come. And the reſolution of certaine Iudges and other learned men in the law, touching certaine treaſons and other offences.

15 The Kings Pardon to them which wil ſue for their Charter before the feaſt of S. Iohn Baptiſt next. Pardon.

16 A Confirmation of the Statute made 13.R.2.12. that no Shoomaker ſhalbe a Tanner. Tanner.

17 There ſhall bee no licence to ſhip marchandiſes of the Staple, to any place, but Calice. Staple.

18 Laſtage of ſtones ſhalbe carried out of England to Calice, for the repaire thereof. Calice.

10.H.6.5. 19 A confirmation of the Statute made Anno 25. Ed.3.4. & 45.Ed.3.2. concerning the pulling downe of Weares, Stanks, &c. Weares.

20 Whoſoeuer ſhall purſue by Parliament to repeale any of theſe Statutes and that duly proued in parliament, ſhalbe adiudged a Traitor. HP. &c. 1.H.4.3. Treaſon.

Statutes

Statutes made at Weſtminſter 6. die Octobris, Anno *1. H. 4. & Anno Dom. 1399.*

Liberties confirmed.

1 A Confirmation of all the liberties of holy church, of the great Charter, the Charter of the foreſt, & of all other Statutes not repealed. Peace ſhalbe maintained, and Juſtice ſhalbe done.

2 None ſhalbe impeached or ſued that came in aſſiſtance of K. H. 4. or aſſiſted to purſue or apprehend King R. 2. or his adherents. EXP.

Repeale.

3 A Repeale of the Parliament holden Anno 21. R. 2. with all the circumſtances and dependants thereof. EXP.

Confirm.

4 The Parliament holden Ann 11. R. 2. confirmed.

Reſtitution.

5 A Reſtitution of thoſe, or their heires, which were attainted at the Parliament holden Anno 21. R. 2.

Patents.

6 In euery petition to be made to the King for any lands, offices, or other profits, it ſhall be contained of what value the thing is, and what other gift the Petitioner hath receiued of the king or his predeceſſors, or elſe the letters Patents ſhalbe repealed. AL. 2. H. 4. 2. in part.

Liueries.

7 The penaltie for vnlawfull giuing, taking, or wearing of Liueries, or badges, retaining, or being retained. AB. Liueries 3. 5. 6. 8. Ed. 4. 2.

Aſſiſe.

8 Aſſiſe maintenable by the diſſeiſee againſt the Kings patentee of lands. AB. Aſſiſe 5.

Confirmation

9 A Confirmation to the purchaſers of certaine lands ſold vnto them by Commiſſioners, which were forfeited to the King, Anno 11. R. 2.

Treaſon.

10 Nothing ſhalbe accounted Treaſon, which was made Treaſon Anno 21. R. 2. But onely ſuch offences as were made Treaſon in the time of King Edw. 3. 1. Ed. 6. 12. 1. M. 1.

Shiriffes.

11 Sheriffes ſhall not be charged with the antient fermes of the counties, part of the profits being giuen away. Neither ſhall they do extortion.

Weares.

12 A Confirmation of the Statute of 25. E. 3. 4. & 45. Ed. 2. Touching the pulling downe or abating of weares, ſtanks, &c. And Commiſſions granted to execute the ſame. AB. Weares 3. 4. H. 4. 11.

Offices.

13 Cuſtomers, Controllers, Searchers, &c. ſhall bee remouable at the Kings pleaſure, and ſhall bee reſident vpon their Offices. AB. Offices 3. Cuſtomers 23. 14. R. 2. 10. 17. R. 2. 5. 31. H. 6. 5.

Appeales.

14 In what places appeales ſhalbe purſued. AB. Appeales 1.

Defaults in London.

15 The punihment of the Maior, Shirifs, and Aldermen of London, and other cities, for defaults and miſpriſions therein committed, ſhalbe according to the diſcretion of the Juſtices thereunto aſſigned, and not according as it is limited by the ſtatute of 28. Ed. 3. 10.

Marchants.

16 Marchants of London ſhall be as free to pack their clothes, and acquited of the ſame packing, as other Marchants be.

Marchants.

17 A confirmation of the Statute of 11. R. 2. 7. authoriſing Marchants ſtrangers to buy and ſell within the Realme, notwithſtanding the letters patents of King R. 2. granted to certaine perſons of London to the contrary. AB. Victuals 2. 14. H. 6. 6 9. R. 2. 10. 3. Iac. 6.

Cheſhire.

18 Proces againſt ons of the countie of Cheſter, which committeth felony in another Shire. AB. Cheſter 3. 9. H. 5. 2.

Clothes.

19 No kerſie, Kendall cloth, freeſe of Couentrie, Cogware, nor other cloth, whereof the dozen exceed not xiij. s. iiij. d. in value, ſhall be ſealed, nor ſubſidie paid therefore, during 3. yeres. EXP.

20 The

20 The Kings pardon to all that will purſue their Charters, before Pale- Pardon.
mas next. EXP.

Statutes made at Weſtminſter Octabis Hillarij,
Anno 2. H. 4. & Anno Domini 1400.

¶ 1 A confirmation of the libertics of holy church, & of the franchiſes of al Lords, Cities, Boroughs, &c. and of all Statutes not repealed. All men may peaceably repaire to the Kings Courts to purſue and defend their right. Juſtice ſhall be done as well to poore as rich. Confirmation. Juſtice.

2 An expoſition of ſo much of the Statute of 1. H. 4. 6. as concerneth the mentioning of other gifts which the petitioner hath receiued of the king, or his predeceſſors, expreſſing which predeceſſors by name thoſe were. And a Confirmation of the reſidue of the Statute. EXP. Petitioners.

3 If the Pope ſhall make prouiſion to any perſon, to be exempt of regular or ordinarie obedience, or to haue a perpetuall office in a houſe of Religion, or to haue as much in a houſe of Religion, as one, two, or more haue. The Prouiſor, that doth accept thereof, ſhall incurre the penaltie ordained. 13. R. 2. 3. CB. Prouiſion.

9. H. 4. 6. 4 Religious perſons of the order of Cyſteaux, and other religious and ſecular perſons, that ſhall purchaſe Buls, to bee diſcharged from the paiment of tithes of their lands letten in ferme, or occupied by others then by themſelues, ſhall incurre the forfeitures ordained 13. R. 2. 3. AL. 13. Eliz. 2. Prouiſors.

9. Ed. 3. 1. 5. R. 2. 2. 2. H. 9. 6. 5 He that carrieth any gold or ſiluer forth of the Realme, ſhall confeſſe to the ſercher how much he hath. AB. Money 3. Marchants ſtrangers that do ſell their marchandiſes within the realme, and do imploy the one halfe of their money vpon the marchandiſes of the realme, may carry forth the other halfe by the kings licence. AL. 4. H. 4. 15. 17. E. 4. 1. Tranſporting money.

11. H. 4. 5. 13. H. 4. 6. 6 The money of Scotland, and all other countries beyond the Sea, ſhalbe conuerted into Bullion, and not be currant in England. EXP. Money.

7 Where if the verdict paſſe againſt the plaintife, he ſhall not bee nonſuite. AB. Nonſuit 1. Nonſuit.

13. Ed. 1. 44 8 The fee of the Cheirographer of the Common place for a fine leuied. AB. Cheirographer 1. Cheirog.

9 Such as were Commiſſioners in the time of King R. 2. ſhalbe diſcharged of their Certificats, by taking of their othes. EXP. Commiſſions.

10 The Clerke of the Crowne of the Kings Bench ſhall take no more for Indictments then hath bæn vſed. viz. where diuers defendants do plead to an iſſue not guilty, the Clerke ought not to take for the Venire facias, or for the entring of the plea but two ſhillings. Q. Clerke of the Crowne.

11 A remedie for him who is wrongfully purſued in the court of the Admiraltie. AB. Admirall 1. Admiraltie.

12 No Welſhman whole borne in Wales, and hauing father and mother borne in Wales, ſhall purchaſe any land in any Marchant towne ioyning to Wales, nor in the Suburbes thereof: Nor ſhall be choſen Burgeſſe in any citie, borough, &c. nor ſhall bæ Maior, Bailife, or officer there, nor ſhall beare any armour within ſuch citie or borough, vpon paine of forfeiture thereof. AL. 27. H. 8. 26. Welſhmen.

13 The pardon graunted 21. R. 2. 15. confirmed, notwithſtanding al other Statutes made in the ſame Parliament repealed. Pardon.

14 Who

Purueiors. F 14 Whosoeuer maketh purueiance of any thing to the value of xl.s. or vnder, for the kings house, shall make readie payment. AB. Purueyors 22. 20.H.6.8.

Hereticall doctrine. 15 None shal preach without the licence of the Diocesan of the same place, sauing Curats in their churches, and such as bee priuileged by the Canon law. None shall preach or write any booke contrarie to the Catholike faith, or determination of the holy Church: Nor shall make any conuenticles of such sects and wicked doctrines, nor shall fauour such preacher. Euery Ordinarie may conuent before him, and imprison any person suspected of heresie. An obstinat heretike shall be burned in an open place before the people. HP. 25. H.8. 14. & 1. Eliz. 1. 5 R.2.5. 2.H.5.7.

Welshmens oppressions 16 If those Welshmen which do arrest, take and carrie away any Englishman, or his goods, or cattell, into Wales, do not within vj. dayes (after letters Testimoniall thereof sent to the officers of those parts in Wales) restore them, then it shall be lawfull to the English people so grieued, to do the like to any people of those Seignories in Wales, where the said offendors do dwel. AL. 20. H. 6. 3. for the penaltie.

Welshmen. 17 If a Welshman shall commit any felonie in England, and then fly into Wales, and after is thereof attainted by Outlarie, or Abiuration in England: vpon certificat thereof made by the kings Iustices (before whom he shal be attainted vnder their seals) to the Lords and officers in Wales where hee remaineth, present execution shall be made vpon the offendor. AL. 27. H.8.6. S. Wales 107. 108.

Guards. 18 Lords Marchers in Wales shall keep sufficient guards in their castles and seignories, that no riot, losse, or hurt, come to the king or his people, by any Welshmen. AL. 27. H.8.26.

Welshmen. 19 No Englishman shall be condemned at the suit of a Welshman, but by the iudgement of English Iustices, or by English Burgesses, or Enquests. AL. 27. H.8.26.

Welshmen. 20 No Welshman shall purchase any land in England, nor within the English townes of Wales, vpon paine to forfeit the same to the Lords of the fee: nor shall be any burgesse, or haue any libertie within the Realme. AL. 27. H.8.26.

Liueries. 21 A confirmation of the Statute of 1. H. 4. 7. touching giuing of Liueries or Badges, & retaining. And the Prince may giue his honourable Liueries to his Lords, and meniall gentlemen, and they may weare them. 8, Ed. 4. 2

Suits. 22 Licence giuen to any person to prosecute any suit contrarie to the Statute of 11. R. 2. though it be prohibited by the same Statute. EXP.

Marshall. 23 The fees of the Marshal of the Marshalsie of the kings house. AB. Marshall 6. 9.R.2.5.

24 All Processes awarded against those that were with the duke of Yorke 23. R. 2. for their wages then receiued, shall be discharged. EXP.

Statutes made at Westminster crastino Michaelis, Anno *4. H. 4. & Anno Dom. 1402.*

Confirmation ¶ 1 A confirmation of the liberties of the holy Church, and of all corporations, and persons, of the great charter, the charter of the forrest, and of all Statutes not repealed.

Insidiatores viarum. 2 The words and termes Insidiatores viarum, & depopulatores agrorum, shall not be put in Indictments, Arraignements, Appsales, nor any other impeachements, but other wordes purporting the like effect. CB.

3 All

3 All former Statutes made by the kings progenitors for the preseruation of the liberties of holy Church, and for the conseruation of the priuiledges of the clergie confirmed. In consideration whereof the Clergie promised to the King in Parliament, that a clearke conuict for treason touching the King himselfe, or for being a common theefe notoriously detected, and deliuered to the Ordinarie, shall not make his purgation. Confirmation Purgation.

4 The king wil graunt no lands, wards, mariages, or other commodities, but to such as haue deserued them. EXP. Patents.

23.H.6.10. 5 Euery Sheriſe shall in person continue in his bailiwicke, and shal not let the same to farme. AB. Shirifes 3.5. Shirife.

6 There shall be a seale of lead prouided to seale clothes wrought, wouen, and fulled, within London and the Suburbes thereof, vpon paine of forfeiture of the cloth to the King otherwise put to sale. EXP. 5.Ed.6.6. Seale.

1.R.2.9. 7 The disseisée shall haue an assise against the disseisor taking the profits during the disseisors life. And in other writs of plea of land, the demaundant shall commence his suit within the yere against the tenant of the freehold. AL. 27.H.8.10. Q. Perno of profits.

8 In what cases a speciall Assise is maintenable against a disseisor with force. AB. Assise 6. Assise.

7.H.4.21. 9 A remedie to discharge commissioners distrained to returne commissions which neuer came to their hands. Commissioners.

10 The third part of the siluer which shall be brought to the Bullion, shall be made in halfe pence and farthings. And no goldsmith shall melt them, vpon paine to pay the king the quatriple. CB. Halfepence.

11 Commissions shall bée directed to Iustices and others, to inquire of Weares, Kidels, &c. raised in great riuers, whereby the passage of ships and boates is hindred, and fish destroyed, and to punish the offendors by fine. EXP. Weares.

12 The Statute of 15. R.2.6. confirmed viz. That in all Appropriations of benefices, there shall be prouision made for the pore of the parish, and the Vicar, (except the Church of Haddenham in the Isle of Ely, appropriated to the Archdeacon of Ely.) AB. Ecclesiasticall &c. 33. Appropriation.

13 A confirmation of the Statute of 1.Ed. 3.5. & 25.Ed.3.8. touching seruice in warre. But all men which hold of the king to do any seruice in warre, shall doe the same notwithstanding any former statutes. Seruice in warre.

14 No labourer shall be retained to worke by the weeke, nor shall take any hire for holy dayes, or for the euens of Feasts (seeing they labour not but vntill none) but for halfe a day. EXP. 5.Eliz. 4. Labourers.

27.H.6.3. 17.Ed.4.1. 3.H.7.8. 15 Marchants strangers and Denizens shall bestow their Money receiued for marchandizes, vpon other marchandizes of this Realme. AB. Marchants 9. Marchants.

16 No man shall carrie gold or siluer forth of this Realme, sauing for his reasonable expences. EXP. Gold and Siluer.

17 No Frier of the foure orders, viz. Minors, Augustines, Preachers, and Carmelites, shall receiue into their said order any Infant, vnlesse hée bee entred into the age of xiij. yeares, without the consent of his father, mother, Tutor, or next friends of bloud, vpon paine to be punished by the discretion of the Lord Chauncelor of England. And the foure Prouincials of the saide foure orders, laying their right hands one their breasts, take an othe, and promised in Parliament to performe the same for them and their successors for euer. CB. Friers.

Atturney. 18 The punishment of an Atturney found in default. AB. Attourney 11.

Atturney. 19 No officer of a Lord of a fraunchise shall be atturney in the same Franchise. AB. Atturney 8.

Customers. 20 Customers, controllers, searchers, and the lieutenant of the kings butler shall abide vpon their offices, without making any deputies. And euerie customer shall be sworne to aunswere the king all profits. AB. Customers 24.

Merchandize. 25. All marchandises comming into the Realme, and going forth, shall bee charged and discharged in great ports, and not in creekes, except they arriue by compulsion of tempest. AL. 1. Eliz. 11.

Serchers. 21 Searchers in euerie port shall be sworne that they shall not let their offices to farme, nor occupie the same by deputie. They shall take nothing of maisters of ships for their welcome or farewell, nor bee hoste to any marchant or mariner, vpon paine to lose his office for euer, and make fine at the kinges pleasure. Q. an CB.

Incumbents. 22 The remedie where by the Kings presentation an Incumbent is put forth of his benefice. AB. Incumbent 1. 13. R. 2. 1.

Judgements. 23 Judgements giuen in the Kinges Courtes shall continue vntill they shall bee reuersed, by attaint, or errour, AB. Errour 7.

Aulnage. 24 Aulnage of clothes may bee let to farme by improuement with the aduise of the Treasurer of England, and the Barons of the Exchequer, notwithstanding the Statute of 17. R. 2. 5. AL. 31. H. 6. 5.

Hostler. 25 An hostler shall not make horse bread. How much he may take for Otes aboue the common price in the market. AB. Inholders 1. 2.

Welshmen. 26 English men shall not be conuict by Welshmen in Wales, but by Englishmen of the next venue. English Burgesses that haue married Welsh women shall haue no fraunchises with English Burgesses. AL. 27. H. 8. 26.

Wales. 27 There shall be no Waskers, Rimers, Minstrels, or vagabonds in Wales, to make commorthes or gatherings. 26. H. 8. 6.

Wales. 28 There shall be no congregations in Wales, but for necessary causes, & by licence of the chiefe officers, and in their presence.

Welshmen. 29 No Welshman shall weare any armour in a market towne, Church, Congregation, or in the Highway, in affray of the people. AB. Wales 103. 26. H. 8. 6.

Wales. 30 No man shall carrie Victuall or armour into Wales, without the Kings licence, but for furnishing English Castles and Townes. AL. 27. H. 8. 26.

Welshmen. 31 No Welshman shall haue any castle, fortresse or house defensiue, of his owne, or others to kepe, sauing Bishops, and temporall Lordes. AL. 27. H. 8. 26.

Officer. 32 No Welshman shal be any Justice, Treasurer, or other officer, or Lieutenant in any office, or of Councell with any English Lord, except Bishops in Wales. AL. 27. H. 8. 26.

Castles. 33 Castles and walled Townes in Wales shall be kept by Englishmen, straungers to the Seignories where the same Castles bee. AL. 27. Hen. 8. 26.

Welshwomen. 34 No English man that marrieth a Welshwoman shall be in any office in Wales, or the Marches thereof AL. 27. H. 8. 26.

Leather. 35 Shoomakers and Cordwainers may tanne leather, notwithstanding the Statute of 13. R. 2. 12. 1. R. 5. Eliz. 8.

Statutes

Statutes made at Weſtminſter craſtino Hillarij, An. 5. H. 4. & *Anno Dom.* 1403.

7.H.4.5. ¶ 1 Thoſe lands of Sir Y.P. and S.T.P. and others attainted of treaſon, ſhall be forfeited to the king whereof they were ſeiſed to their owne vſe, but not thoſe whereof they were ſeiſed to the vſe of others. HR. — Forfeiture for Treaſon.

2 The penaltie of him that doth obtaine pardon for an appruer, which cõmitteth felonie againe. AB. Pardon 4. — Pardon.

3 Watches ſhall be made vpon the ſea coſte, by the number of people, in the places, and in maner and forme as they had wont to be. And this ſhall be put as an article in the Commiſſion of Juſtices of peace, that they ſhal inquire of the offendors in their Seſſions, and puniſh them. AB. Watch 2. — Watches on the ſea coſte.

4 It ſhall bee felonie to multiplie gold or ſiluer, or to vſe the craft of multiplication &c. AB. Felonie 21. — Multiplicatiõ

5 It ſhall be felonie to cut out the tongue, or put out the eyes of any of the kings ſubiects. AB. Felonie 19. — Tongue. Eyes.

11.H.6.11. 6 The penaltie of him which maketh aſſault or fray vpon the ſeruant of any knight or burgeſſe of the parliament. AB. Fighting 5. — Parliament.

7 Marchants ſtrangers ſhall be demeaned within this Realme, as marchants deniſens be in other Realmes. — Marchants.

8 The Judges may examine the plaintifes atturney in an action of debt, vpon the arrerages of accompts, and others whom they will, and allow the defendant to wage his lawe, or pleade to an Enqueſt. AB. Wager 3. — Wager of law

4.H.5.5. 18.H.6.4. 9 Cuſtomers and controllers ſhall take ſufficient ſuertie of Marchants Aliens, to imploy the money comming of their marchandiſe, and by exchaunge, vpon the commodities of this Realme. AL. 4.E.4.6. No marchant Alien ſhall ſell any marchandiſe to another Alien. Sufficient hoſtes ſhall be aſſigned in euerie towne for marchants Aliens by the Maiors, Officers, &c. with whom and none other they ſhall continue. Marchants Aliens ſhall ſell their Marchandiſes within a quarter of a yeare. HP. 6. H. 4. 4. — Marchants Aliens.

10 None ſhall be impriſoned by a Juſtice of peace, but in the cõmon gaole. AB. Priſon 1. — Priſon.

11 The farmers of Aliens lands ſhall pay tithes to the Parſons, Vicars, &c. according to the lawe of the Church, though the lands be ſeiſed into the Kings handes, or that any prohibition be made to the contrarie. CR. — Tithes of Aliens.

12 Execution may be awarded vpon a Statute once ſhewed in Court. AB. Statutes 3. — Statute.

13 What thinges may be gilded, or laid on with ſiluer, and what not. AL. 8. H. 5. 3. — Gilding.

14 Incolling of writs in the Common place, whereupon fines be leuied. AB. Cheirographer 2. — Writs inrolled.

15 The Kings pardon.

Statutes made at Couentrie the 6. day of October, *Anno 6. Henrici 4. & An. Domini* 1404.

¶ 1 Whoſoeuer ſhall pay to the court of Rome for the firſt fruit of any Archbiſhoprick, or biſhoprick, or other ſeruices, more then of auncient time hath bene paide, ſhall forfeit to the king as much as hee may looſe. HP. 25. H. 8. 20. — Firſt frutes to Rome.

Petitions. 2 The Statute of 1.H.4.6. touching petitions to be made to the king for landes, offices, &c. shall not extend to the Quéene or Prince. EXP.

Accomptants 3 Commissions shal be directed to inquire of certeins officers accomptant, and to make certificat what they haue receiued, and concealed. AB. Accomptants 53.

Marchandise. 4 A repeale of so much of the Statutes of 5. H. 4. 9. as doth ordeine marchants Aliens to sel their marchandises within a quarter of a yeare. But they shall carrie forth of the Realme no marchandise brought in by Marchants Aliens.

Statutes made at Westminster 1. die Martij, Anno 7.H.4. & *Anno Domini* 1405.

Confirmation ¶ 1 A Confirmation of the liberties of holy Church, of the franchises of al cities, boroughes, and persons, of the great charter, the charter of the forrest, and of all Statutes not repealed. Peace shall bee kept, and iustice shall bee done to euerie person, sauing to the King his Regaltie, and Prerogatiue.

The crowne entailed. 2 The Realmes of England and Fraunce, and all the kings dominions beyond the sea, allured to King Henry the fourth for his life, and after his decease to Prince Henry his eldest sonne, and to the heires of his bodie begotten. And if he die without issue, then to Thomas his second sonne and the heires of his bodie begotten. And for default of such issue, to John his third sonne, and the heires of his bodie begotten. And for default of such issue to Humfrey his fourth sonne, and the heires of his bodie begotten.

Estretes. 3 A Confirmation of the Statute of 42. E. 3. 9. touching Estreats. And Rolles of Estreats shall be made certeine. AB. Estretes 2.

Escape. 4 In an action of debt brought against a Gaoler which letteth a prisoner condemned to escape, no protection is allowable. AB. Escape 3.

Forfeitures. 5 H. P. and T. B. attainted of treason shall forfait those lands to the king whereof they were seised to their owne vse: but not those whereof they were enfeoffed to the vse of others. EXP. 5.H.4.1.

Bulles. 6 Whosoeuer shall purchase any Bull to be discharged of Tithes, or shall trouble any person in respect thereof, shal incurre the penaltie ordained by the Statute of 2.H.4.4. AL. 13. Eliz. 2.

Arrow heads 7 Arrow heads shall be well boiled, braced, and hardened at the point. AB. Arrow heads 1.

Benefice. 8 No prouision shall be made by the Pope, nor licence or pardon by the King, touching any benefice then full of an Incumbent. EXP. 3.H.5.4.

Marchandise. 9 Clothes and other marchandises may be sold in grosse, aswell to all the Kings people, as to the citizens of London, notwithstanding any Fraunchise &c.

Clothe. 10 The whole coloured cloth shall containe in length xxviij. yardes, and the cloth of Ray as much, and in breadth vj. quarters. And the clothiers making them of lesse length or breadth, shall forfait them to the King. EXP. 9. H. 4. 6.

Commissions 11 Commissioners not receiuing the Commissions shal be discharged vpon their othes AB. Commissions 1. 4.H.4.9.

Forfeiture. 12 Those lands shall not be forfeited to the King, whereof I. S. and T. B. attainted of treason were enfeoffed to the vse of others: but onely those which came to them by discent or purchase. EXP.

Atturney. 13 Impotēt persons ẏ be outlawed may make Atturneies. AB. Attorn 10.

14 A Confir-

14 A Confirmation of the ſtatute of 1. R. 2. 7. & 1. H. 4. 7. touching giuing or taking of liueries. No congregation or companie ſhall make any liuerie of cloth, or of hats. AB. Liueries 1. 4. — Liueries.

11. H. 4. 1. 15 The maner of the election of the Knights for the Parliament. AB. Parliament 4. — Parliament.

16 They which haue annuities by the grant of the king, or any of his predeceſſors of an elder date, to bee paid by the hands of the Sheriffes, ſhall bee ſatisfied before them whoſe graunts bee of a later date. EXP. — Annuities.

8. H. 6. 11. 11. H. 7. 11. 17 No perſon ſhall put his ſonne or daughter to bee an apprentice in a Citie, or Borough, vnleſſe he hath lands or rent to the yearely value of xx. s. EXP. 5. Eliz. 4. As to all other Cities ſauing London and Norwich. — Apprentiſe.

18 None ſhall bee puniſhed for the repreſſing of the Riots and Inſurrections, which haue beene made ſince the Kinges comming into the Realme. EXP. — Repreſſing Riots.

Statutes made at Glouceſter 20. die Octobris, *Anno 9. Henrici 4. & Anno Domini 1407.*

¶ 1 A confirmation of all the liberties of holy Church, and of all perſons, Cities, and Boroughes (except the fraunchiſes late graunted to the ſcholers of the Vniuerſitie of Oxford) and of all ſtatutes not repealed. — Confirmation

2 Kendall cloth whereof the dozen extendeth not vj. s. viij. d. ſhall not bee ſealed with the Kings Seale, nor Aulnage paid for it. CB. — Cloth.

3 Felons and robbers in Southwales ſhall bee apprehended and brought to the Gaole, or els the contrey ſhall ſatiſfie for their offences to the parties, by the awarde of the Lorde of the ſame seignorie. AL. 27. H. 8. 26. — Felons in Southwales.

4 A felon in Wales openly knowne, ſhall not be ſuffered to diſclaime out of the Seignorie where the felonie was done. And ſuch diſclaiming ſhall bee vtterly put out. AL. 27. H. 8. 26. — Felons in Wales.

5 A remedie where Lords of auntient demeſne, or Maiors, or Bailifes in Aſſiſe, or other writ, by colluſion be named diſſeiſors, to take away their franchiſe. AB. Aſſiſe 9. — Diſſeiſors.

6 A repeale of the Statute of 7. H. 4. 10. touching the length and breadth of cloth. — Cloth.

1. Ed. 3. 6. 7 The goods and cattels of forreines ſhall bee chargeable to the payment of the fiftéene where they bee the time of the graunt for the ſame. AB. Fifteenes 1. — Fiftéene.

8 Money ſhall not be carried out of this Realme, to the Court of Rome. Elections of Archbiſhops and Biſhops ſhal bee free, and not be interrupted by the Pope or the King. AL. 25. H. 8. 20. — Money: Biſhops.

Statutes made at Weſtminſter Quindena Hillarij, *Anno 11. H. 4. & Anno Dom. 1409.*

1. H. 5. 1. 23. H. 6. 15. ¶ 1 The penaltie of the Sherife, which maketh an vntrue returne of the election of the Knightes of the Parliament. AB. Parliament 4. — Parliament.

20. H. 6. 5. 2 No common hoſtler in a Citie or Borough ſhall bee a Cuſtomer, Controler, Finder, or Searcher. AB. Cuſtomes 23. — Cuſtomes.

3 Iuſtices of Aſſiſe ſhall deliuer into the Treaſurie Records of Aſſiſe &c. Records ſhall not bee amended or impaired after iudgement giuen and inrolled. AB. Records 2. — Records.

Unlawfull games. 4 Ye that offendeth in playing at vnlawful games prohibited by the Statute of 12.R.2.6. shall be imprisoned vj. dayes. EXP. 33.H.8.9.

Gally halfe-pence. 5 Gallihalfepence shal not be currant in paiment in this Realme, vpon the paine of forfeiture thereof. EXP. 2.H.4.5. 13.H.4.6.

Cloth. 6 No man shall tack and pleight together clothes, before the Aulneger hath serched, and set his seale to them. AB. Draperie 87. 13.R.2.11.

Cloth. 7 Marchants straungers shall pay their customes and subsidies graunted to the king, for clothes cut in peces, and for clothes cut into garments, according to the quantitie of the same. EXP.

Exchanges. 8 The Chauncelor of England shall euerie vj. dayes send the Estreats of exchanges taken of marchants, according to the statute of 14.R.2.2. into the Exchequer, that the customer may be examined by them. CE. 9.H.5.9.

Jurors. 9 Jurors in indictments shall be returned by the Shirife, without denomination of any. AB. Iurors 7. 3.H.8.12. 11.H.7.24.

Statutes made at Westminster Crastino Animarum, *An.* 13.*H.*4. *& Anno Domini* 1411.

Confirmation ¶ 1 Holy Church, and all cities and borroughes, shall enioy their liberties and franchises, except the franchise late graunted to the scholers of the Universitie of Oxford. The great charter, the charter of the forrest, and all other statutes not repealed confirmed.

Chief Justice 2 The statute of 8.R.2.2. touching Justices of Assise and gaole delinerie confirmed. The chiefe Justice of the Kings Bench shal not be Justice of Assise in any Countie, but in Lancashire. EXP.

Liueries. 3 A confirmation of the statute of 1.R.2.8. 1.H.4.7. & 7.H.4.14. touching giuing and taking of Liueries.

Clothes. 4 A confirmation of the statute of 7.H.4.10. & 11.H.4.6. touching Clothes, Clothiers, and Aulnegers.

Officers. 5 All Customers, Controllers, Gaugers of wine, and Searchers, shall be continually resident vpon their offices. AB. Customers 26. 1.H.4.13. 4.H.4.20.

Money. 6 No Gallyhalfepence, Scottish money, or other forreine Money shall be currant within this Realme, according to former Statutes. EXP. 2.H.4.6. 11.H.4.5.

Riots &c. 7 The Justices of peace, and the Shirife, shall arrest thos which commit any Riot, Rout, &c. inquire of them, & record their offences. AB. Riots 1. &c.

Statutes made at Weſtminſter 29. die Aprilis, *Anno* 1. *Hen.* 5. *& Anno Dom.* 1413.

7.H.4.15. 23.H.6.15. 1. WHat ſort of people ſhall be choſen, and who ſhall be the chuſers of the Knights of the Shire, and the Burgeſſes for the Parliament. AB. Parliament 4. 9. — Parliament.

2 A Confirmation of former Statutes made againſt the leuying and ſtraitning of Weares, Milles, Stankes, Stakes, and Kidels. — Weares.

3 In an Action of Forgerie of falſe dœdes, the party grieued ſhall recouer his dammages, and the defendant ſhall make fine at the Kings pleaſure. EXP. 5. Eliz. 14. — Forging.

4 Shirifes Baylifes ſhall not be in that office three yeares after. Shirifes officers ſhall not be Atturneyes. AB. Shirifes 26. Attourney 7. — Sherifes. Officers.

5 In originall writs, where an Exigent ſhall be awarded, additions of the names of the defendants ſhall be put. AB. Additions 1. — Additions.

6 No Welchman ſhall take or attempt reuenge, by force, or Law, againſt any of thoſe Engliſhmen, which did purſue or ſlea them or any of their friends in the late Rebellion. EXP. — Welchman.

7.R.2.12. 7 A confirmation of the Statute of 13. R. 2. 2. reſtraining Aliens to accept any Benefices in England: Except Priors Aliens conuentuall, & other Priors, which haue inſtitution and induction, ſo that they be Catholike, and finde ſuretie, not to diſcloſe the counſell and ſecrets of the Realme. CB. — Aliens no benefices.

1.H.6.3. 2.H.6.8. 8 All Iriſhmen ſhall depart the Realme before the feaſt of H. except Graduates in Schooles, Serieants, and Apprentices at the Law, Inheritors in England, Merchants of good name, and their apprentices, Religious perſons profeſſed, and they with whom the King will diſpence. Iriſhmen which haue Benefices or Offices in Ireland ſhall dwell vpon them. Q. an CB. — Iriſhmen.

9 The reuenues of Calice and the Borders thereof, ſhall be imployed to the maintenance of it, and not to any Patentées. EXP. — Calice.

10 By what meaſure Purueyors or other ſhall take or buy Corne. AB. Purueyors 16. — Meaſures.

Statutes made at Leiceſter 30. die Aprilis, *Anno* 2. *Hen.* 5. *& Anno Domini* 1414.

¶ 1 Ordinaries ſhall enquire of, and reforme the foundation, eſtate, and gouernance of Hoſpitals. AB. Hoſpitals 1. — Hoſpitals.

2 A Corpus cum cauſa, or Certiorari, to remoue into the Chauncerie him which is in execution at an other mans ſuite. AB. Corpus &c. 1. — Corpus cum cauſa.

3 A Libell graunted in the ſpirituall Court, ſhall be preſently deliuered. AB. Prohibition 10. — Libell.

4 Juſtices of peace haue authoritie to ſend their Writs for fugitiue ſeruants & Labourers, to euery Shirife of England, to bring them before them to anſwere for their offences. EXP. 5. Eliz. 4. Which Juſtices of the peace and Quorum muſt be reſident within the ſame Shire, and which not. And at what times the Juſtices muſt hold their Quarter Seſſions. AB. Iuſt. of peace 1.5. — Labourers. Juſt. of peace. 12.R.2.10.

9.H.7.7. 5 If any perſon dwelling in Tindale, or Eramſhire, in the Countie of Northumberland, ſhall commit any Treaſon, Murder, or Felony out of thoſe Franchiſes, proces ſhal be made againſt him vntill he be outlawed: And then the Juſtices before whom the Outlarie is returned, ſhall make certificate thereof — Tindale. Eramſhire.

thereof to the officers of the ſaid Franchiſes. And ſuch Felon ſhall be taken, and his lands and goods ſhall be ſeiſed into the hands of the Lords of the ſame Franchiſes, as forfeit. AL. 14. Eliz. 13.

Safeconducts

6 Breaking of Truce and Safeconducts ſhall be high Treaſon. RP. 20. H. 6. 11. In euery Port of the ſea one ſhall be appointed by the Kings cõmiſſion conſeruator of the Truce, and the Kings Safeconducts. 14.H.6.8. 29.H.2.

Lollards.

7 Becauſe there bee great Rumors, Congregations, and Tumults, by a ſect of Heretikes called Lollards, and others of their confederacie and intice-ment, to the intent to ſubuert the Chriſtian faith, the Law of God, and holy Church, to deſtroy the King, and all other Eſtates of the Realme, aſwell Spirituall as Temporall, and all manner of Policie, and the Lawes of the Land vtterly: Therefore to fortifie the Chriſtian faith, the eſtate of the King, & the Realme, the Chauncellor, Treaſurer, Juſtices, Sherifes, Mayor, Baylifes, and al other Officers hauing gouernment of people, ſhal receiue an oth when they vndertake their charges, to doe their whole endeuour to root out & deſtroy all errors and hereſies called Lollards within the places where they execute their offices. All perſons conuict of hereſie by the Ordinaries or their Cõmiſſaries, left to the ſecular power, according to the lawes of holy Church, ſhall forfeit al their lands and tenements which they haue in fée ſimple to the lords of the fée, as in caſe of attainder of felonie, and all their goods and chatels to the King. RP. 1. Ed. 6. 12. 1. Eliz. 1. 5.R.2.5. 2.H.4.15.

Heretikes forfeiture.

Riots.

8 Commiſſions ſhal be awarded to enquire of the default of Juſtices, Shi-rifes &c. that ought to arreſt and puniſh Rioters: Who ſhall returne the Ju-rie: The puniſhment of the offendors. AB. Riots 6. &c. 13.H.4.7.

Runnagate.

9 A Bill of complaint ſhall bee exhibited into the Chauncerie againſt him which doth commit any Murder, Robbery, Batterie &c. and after doth flie vn-to Woods or vnknowne places: And from thence a Capias ſhall bee awarded againſt him returnable into the Kings Bench. CB. 8.H.6.14.

Other Statutes made at Weſtminſter 19. die Nouembris, *Anno 2. H. 5. & Anno Dom. 1414.*

Juſt. of peace.

¶ 1 What ſort of men ſhall be Juſtices of Peace. AB. Iuſt. of peace 1. 13.R.2.7.

Chaplains wages.

2 The yearely wages of Chapleins ſhall be lig. li. xiij. ſ. iiij. d. and pariſh Prieſts vj. l. for their bord, apparell, and other neceſſaries. CB. 36.Ed.3.8.

Jurors.

3 Of what eſtate thoſe Jurors muſt be, which are to paſſe in any enqueſt touching the life of man, plea reall, or 40. markes damages. AB. Iurors 11. 8.H.6.29.

Gilding.

4 There ſhalbe no gilding of ſiluer ware, but of the allay of Engliſh ſter-ling. AB. Gold 7.

Welchmen.

5 If any Welchman which doth forcibly take & detaine any Engliſhman, vntil he be ranſomed, wil not vpon proces awarded againſt him by the Juſti-ces, appeare and anſwere the ſame, vntill he ſhall be outlawed: The Juſtices ſhal certifie the ſame vnder their ſeales to the officers of the Seignios where ſuch outlaw is, who ſhal apprehend and doe execution of him according to the law. AL. 27. H. 8. 26. Wales 1.

Staple.

6 Marchandiſes of the Staple, viz. Wools, Fels, Leather, Lead, or Tinne ſhal not be carried to any parts beyond the ſea without the Kings licence, vn-till they be firſt brought to the Staple. CB.

Money.

¶ 1 A Statute made at Weſtminſter 4 die Nouembris, Anno 3. H. 5. & Anno Dom. 1415. The Money called Gallyhalfpence, Suſkins, or Dot-kins, and all Scottiſh money of ſiluer ſhal be put out, and not currant for any payment in England. And it ſhall bee felonie to make, coyne, bring into the Realme, to ſell, or put in payment any of the ſame &c. CB. 2.H.4.6.9. 11.H.4.5. 13.H.4.6.

Other

Other Statutes made at Weſtminſter 6. die Martij,
Anno 3. H. 5. & Anno Dom. 1415.

¶ 1 A Confirmation of the Liberties of Holy Church, & of the Franchiſes of all Perſons, Cities, Boroughes &c. not repealed. — Confirmation

Aũ 5. H. 5. 9. H. 6. 10. — 2 Certaine Abbots, Priors, and other Religious perſons, in the Counties of Lancaſter and Yorke, which haue poſſeſſions in Staine-cliffe wapentake, and Friendleſſe wapentake in Craven in the Countie of Yorke, may make Attorneyes in the Courts of the ſaid Wapentakes. EXP. — Attorneyes.

3 All Britons not made denizens, ſhall depart the Realme before the feaſt of I. vpon paine of life and member. EXP. — Britons.

7. H. 4. 8. — 4 All Prouiſions made by the Pope, or Licences, or Pardons by the King, touching any Benefices full of an Incumbent, ſhall be void. EXP. — Benefices.

13. R. 2 18. — 5 Vpon a falſe verdict giuen in Aſſiſes, Juries, and all other Enqueſts, before the Mayor and Shiriffes of the Countie of the Citie of Lincolne, an Attaint may be brought in the Kings Bench, or Common Place, triable by forreins of the Countie of Lincolne. HR. — Attaint in Lincolne.

5. Eliz. 11. — 6 Clipping, waſhing, and filing of the Money of this Realme, ſhall be adiudged high Treaſon. EXP. 1. Ed. 6. 12. and 1. M. 1. — Clipping of Money.

7 Juſtices of Aſſiſe ſhall haue authoritie in their Seſſions to heare & determine the counterfeiting and bringing in of falſe money, and of clipping, waſhing, and other falſitie. And Juſtices of Peace ſhall inquire thereof, and make proces by Capias onely. EXP. 1. M. 1. 1. Ed. 6. 12. — False money.

31. Ed. 3. 4. 21. H. 8. 5. — 8 No Ordinarie ſhall take for the Probat of a Teſtament, with the Inuentorie, more then was accuſtomed in the time of K. Ed. 3. vpon paine to yeeld to the party grieued treble of that he hath receiued. EXP. — Probat of Teſtaments.

Statutes made at Weſtminſter 19. die Octobris, Anno 4.
H. 5. & Anno Domini 1416.

¶ 1 The great Charter, the Charter of the Forreſt, and all other Statutes not repealed, confirmed. — Confirmation

2 Shiriffes ſhall haue allowance vpon their accounts of things caſuall. AB. Shiriffes 37. — Shiriffes.

4. Ed. 4. 9. — 3 No man ſhall make any Pattens or Clogges of Aſpe, vpon paine to forfeit 100. s. EXP. 1. Iac. 25. — Pattens.

4 The penaltie aſſigned by the Statute of 12. R. 2. 4. for giuing & taking of exceſſiue wages, ſhall be hereafter inflicted onely vpon the taker. EXP. — wages.

5 A Confirmation of the Statute of 5. H. 4. 7. & 9. touching the vſing of Marchants ſtrangers, and for appointing of hoſtes to them. — Marchants.

6 If an Archbiſhop or Biſhop of Ireland (Rebell to the King) ſhall make collation of any Benefice to an Iriſhman, or bring any Iriſhman to a Parliament or Aſſembly in Ireland, to diſcouer the counſell of Engliſhmen, his Temporalties ſhall be ſeiſed, vntill he hath made fine to the King. CB. — Iriſh.

7 Where the Kings enemies ſhall breake Truce vpon the Sea, or in Scotland, Letters of Marque vnder the great Seale ſhal be graunted to him which is thereby grieued, and cannot haue recompence. EXP. 4. Iac. 1. for ſo much thereof as doth concerne the people of Scotland. — Letters of Marque.

8 The Kings Pardon of the ſuite of his Peace, and of all Iſſues, Fines, Forfeitures, Amerciaments, and Debts, to the ſumme of xxbj. s. viij. d. and vnder. EXP. — Pardon.

¶ 1 A

Atturney. 1 A Statute made at Weſtminſter 11. die Ianuarij, Anno Dom. 1417. Anno 5. H. 5. All Religious and ſecular perſons, vntill the nert Parliament may make Atturneyes in plea of Debt, Treſpas, or other Contracts in any Wapentakes, Hundreds, and Courts Baron through the Realme. EXP.

Inditement in Lancaſhire. ¶ 1 A Statute made at Weſtminſter 10. die Ianuarij, Anno Dom. 1419. & Anno 7. H. 5. A remedie againſt thoſe which do indite or appeal others of Treaſon or Felony committed in a place in the County of Lancaſter, whereas there is no ſuch place. CB. The like Proces ſhall be awarded againſt them which make and publiſh falſe deedes by Capias and Exigent, as in writs of Treſpas. EXP. 4. Eliz. 14.

Forging deeds.

Statutes made at Weſtminſter 2. die Decembris, *Anno 8. H. 5. & Anno Dom. 1420.*

Parliament writs. ¶ 1 In the Kings abſence in Fraunce, the Teſte of Writs to ſummon the Parliament, ſhall be in the name of his Lieutenant, and by his returne it ſhall not be diſſolued. EXP.

Siluer in Bullion. 2 A preſixed quantitie of Gold or Siluer in Bullion, ſhall be brought to the Mint by Merchants ſtrangers, in ſtead of Woll or Tinne tranſported, not brought to the Staple. CB.

Gilding. 3 What things only may be gilded, & what laied on with ſiluer. AB. Gold 7. 5. H. 4. 13.

Statutes made at Weſtminſter 2. die Maij, Anno 9. *H. 5. & Anno Domini 1421.*

Appeales. ¶ 1 The Statute made Anno 7. H. 5. Touching Appeales and Inditements in Lancaſhire, ſhall be in force vntill the next Parliament, after the Kings returne into England. EXP.

Outlawes in Lancaſhire. 2 No perſon outlawed in the Countie of Lancaſter ſhall forfeit any lands or goods, but ſuch as he hath in the ſame Countie. EXP. 33. H. 6. 2. A confirmation of the Statute of 1. H. 4. 18. Touching Proces againſt one of the Countie of Cheſter. 18 H. 6. 13. 20 H. 6. 2. 31. H. 6. 6.

Protections. 3 Protections graunted to them that bee in the Kings ſeruice in Normandie or Fraunce, and which ſhall paſſe with him into Fraunce. EXP. 4. H. 6. 2. 14. Ed. 4. 2.

Records. 4 The Juſtices before whom any default ſhall be found in any Records or Proces, may amend the ſame, before Judgement giuen. AB. Records 1. 14. Ed. 3. 6. 4. H. 6. 3.

Shiriſes. Eſcheators. 5 During foure yeares, the King may make Shiriſes and Eſcheators to continue in their Offices aboue one yeare, notwithſtanding the Statute of 4. Ed. 3. 7. EXP. 8. H. 6. 15.

Mint. 6 The Mint and Coynage ſhall be at Calice, ſo long as it ſhall pleaſe the King. EXP.

Ridesdale. 7 The Statute prouided 2. H. 5. 5. for ſuch of Tindale or Erhamſhire, as ſhall commit Treaſon, Murder, or Felonie, out of thoſe Franchiſes, ſhall be extended in all points againſt the like offendors within the franchiſe of Ridesdale, which be called In-takers, and Out-porters. And the King and all other perſons ſhall haue the like forfeitures.

Schollers of Oxford. 8 Schollers of the Vniuerſity of Oxford, which being armed & vnknowen, do diſſeiſe others of their lands, or do hunt in Parks, Foreſts, or Warrens, or do take Clerkes conuict out of the Ordinaries ward, ſhall haue Proces awarded againſt them, vntill they be outlawed, which Outlawry being certified by the Juſtices to the Chauncelor of the Vniuerſitie, he ſhall preſently baniſh them out of the ſame Vniuerſitie. EXP.

9 No Abbot or Prior shall bee appointed by any Bishop to bee Collector of Dismes or Subsedies, out of the Countie where he dwelleth. EXP. Collectors.

10 Keeles that carry sea coales in the Port of New-castle, shalbe measured and marked by certain Commissioners before any carriage be made by them, vpon paine of forfeiture of them. HR. Keeles.

25.Ed.3.2. 5.Ed.6.19. 11 No English gold shall be receiued in paiment but by the Kings weight. AB. Money 1. Gold.

12 Writs purchased by the Wardens of the new Bridge of Rochester, or their successors, or by other against them, shal be effectual in law, though they or some of them die, or be remoued hanging the suite. HR. Rochester Bridge.

Other Statutes made at West 2. die Decembris, Ann. 9. *H.5. & Anno Domini* 1421.

¶ 1 A Confirmation of all Statutes made touching the gouernement of money, which be not repealed. Money.

2 All men may resort to the Kings Exchaunges in open places, or to the Tower of London, to haue mony new coyned, paying for the Seignorage and Cunage of gold, after the rate of v.s. for the pound of the Tower, and for the Seignorage and Cunage of siluer xv.d. for the pound, and no more. And they that will not come to the Tower, shall pay for the exchange after the rate of a penny for the Noble, and for the halfe Noble, ob. &c. EXP. Exchange of Money.

3 At the Tower, or Kings exchanges, good and lawfull money shall be deliuered, and if any notable default shall be found in the weight or allay, it shall be lawful to euery person to refuse that which is defectiue, before he depart the place where he shall receiue it. EXP. Default in Money.

4 The officers of the Kings Exchanges shall bring to the Tower of London to be coyned al the siluer and gold which they buy or exchange. EXP. Siluer & gold exchanged.

5 The Kings Mint shall be coyned and made at Calice, as it hath beene at London. EXP. Mint.

6 All money of gold and siluer shal be made of as good allay and weight, as it is now made at the Tower. EXP. Money.

7 The Chauncellor of England shall send the weight of the Noble, halfe Noble, and Farthing of Gold, to euery City, Borough, and Market Towne, that will haue them, to the entent they be not deceiued by false weights. EXP. Weights of Gold.

8 Commissions shall be awarded to certain persons, to enquire of falsifiers of weights, and to imprison them. And so may Iustices of peace, Shiriffes, and Escheators. AB. Weights 13. Iustices of Peace 92. Counterfeit weights.

14.R.2.2. 11.H.4.8. 9 For euery Exchange to bee made by Marchants, they shall bee bound in the Chaunterie, to buy within 9. moneths after, commodities of the land, to the value of the thing exchanged, vpon paine of forfeiture of the same. EXP. Exchanges.

10 Collectors of Dismes & Fiftenes, which be hindred of their accounts by the slackneſſe of their companions, shall haue an Action of Debt against them for the summes which they shall pay for them. EXP. Collectors.

Statutes

Statutes made at Weſtminſter 8. die Nouemb. Anno primo *Henr. 6. & Anno Domini* 1422.

Mint. 1 MAſters and Workmen may bee aſſigned by the Kings Counſell to coyne money, and hold the Exchanges in Yorke, Briſtow, and as many other places as ſhall ſeeme neceſſarie vnto them. EXP.

Purueyors. 2 Euery Shirife ſhall proclaime all the Statutes of Purueyors in his Bayliwike, foure times in the yeare, vpon paine to forfeit 100. l. to the King. CB.

Irish men. 3 No Iriſh man ſhal come to dwel in England, vnles he bring to the Chancelor of England letters vnder the ſeale of the Lieutenant or Juſtices of Ireland, teſtifying that he is of the Kings obeyſance. And all Iriſhmen ſhall depart from hence within a Moneth after Proclamation, vpon pain to loſe their goods, and to be impriſoned at the K. pleaſure, except Graduates in the ſchools, thoſe which haue father & mother Engliſh people, Beneficed men, Inheritors in England, Religious perſons, Marchants, Burgeſſes, Men of Lawe, and married perſons to Engliſh men or women, being of good fame. None of them ſhall be Principall in any Hall or Hoſpitall, but be vnder gouernment. And they ſhall find ſuerties of their good behauiour. Q. for the vſe. 1.H.5.8. 2.H.6.8.

Mint. 4 The Maſter of the Mint in the Tower may hold the Kings Exchange in London, ſo that he ſend to the Mint to bee coyned al that ſhall come to the Exchange in Plate, or in Maſſe. EXP.

Recompence for ſeruice. 5 The thirds, and the thirds of the thirds of all gaines obtained in warre, pertaining to King H. 5. the day of his death, as well of priſoners taken, as of other gaines of warre, ſhal be deducted by account in the Exchequer to ſatiſfie them, or their executors, who indented to ſerue the ſaid King in his warres.

Jewels of the Crowne. And they to whom king H. 5. left any Jewels in gage, ſhall retaine them, or haue recompence for them, except they were the auncient iewels of the crowne. EXP.

Statutes made at Weſtminſter 20. die Octobris, *Anno* 2. *Henr.* 6. *& Anno Domini* 1423.

Confirmation ¶ 1 A Confirmation of the Liberties of Holy Church, and of the Franchiſes of all Perſons, Cities, and Boroughes.

Hoſpitall of S. Leonard. 2 The Maſter and Brethren of the Hoſpitall of S. Leonard of Yorke, may haue Writs or Plaints of Debt: or Detinue, to recouer a Thraue of Corne of euery plough land within the Counties of Yorke, Cumberland, Weſtmerland, and Lancaſter, due to them vpon their firſt foundation, or may leuie, gather, and take the ſame Thraues: ſauing where they haue compounded. HR.

Duke of Bedford. 3 Iohn Duke of Bedford being in the Kings ſeruice in Fraunce, ſhall bee receiued to defend his right by Atturney. EXP.

Staple. Calice. 4 All Wools, Felles, Leather, Lead Tinne, and all other Marchandiſe of the Staple, paſſing out of England, Wales, and Ireland, ſhall be carried to Calice, ſo long as the Staple is at Calice, vpon paine of forfeiture thereof. And no licence ſhall be graunted to the contrarie, but for the Wools, Felles, and Leather of Northumberlend, Weſtmerland, Cumberland, and the Biſhoprick of Durham. EXP. 12.R.2.16.

Calice. 5 If any carrie Wools or Felles not cuſtomed out of the Realme, but to the Staple at Calice, he ſhall forfeit the value thereof, and be impriſoned vntill he hath paied a fine. EXP.

2.H.4.5. 9.Ed.3.1. 5.R.2.2. 17.Ed.4.1. 6 A confirmation of the Statute of 9.H.5.5. touching money. For what cauſes onely gold or ſiluer may be carried forth of the Realme. AB. Money 3. And to performe the ſame Marchants ſtraungers ſhall find ſuerties in the Chauncerie. AB. Marchants 9. — Money.

1.H.7.5. 19.H.7.19. 3.H.8.10. 7 No Cordwainer ſhalbe a Tanner, vpon paine of forfeiture of vj.s. viij.d. for euerie hide by him tanned. And for euerie defectiue hide by him tanned, he ſhall forfeit as much. MP. 5.El.8. — Cordwainer. Tanner.

8 The Chauncelors of the Vniuerſities of Oxford and Cambridge ſhall take ſuerties of Iriſh men reſorting thither, for their good abearing, according to the Statute of 1.H.6.3. and certifie the ſame into the Chancerie: and the Juſtices of peace within counties, and Maiors and Bailifes within Cities and Boroughes ſhall take like ſuerties, and do execution againſt them which ſhall offend. CB. Q. — Iriſhmen.

9 The money called Blankes ſhall be wholly put out, and whoſoeuer ſhal receiue or pay the ſame, ſhall incurre the penaltie ordained 3.H.5. for Gally halfepence &c. CB. — Blankes.

10 What maner of inferior officers ſhall be appointed in the kings courts by principall officers. AB. Officers 2. — Officers.

18.H.6.17 2.R.3.13. 28.H.8.14. 11 The meaſure of a Tunne, Pipe, Tertian, and Hogſhead of wine, of a Barrell, Bilderkin, Firkin, and Tertian of Eeles, Herrings, and Salmons. AB. Wines 13. — Meaſures.

12 The Maſter of the Mint ſhall keepe his allaye in making of white money, according to his Indenture. The kings Aſſayer and Controller ſhall bee indifferent betweene the Maſter of the Mint and the Marchant. The Maſter of the Mint ſhall conuert into money all the gold and ſiluer which hee ſhall receiue. EXP. — Maſter of the Mint.

13 No perſons ſhall buy or ſell ſiluer in plate, peece, or maſſe, being of as good allay as the ſtarling, aboue xxx.s. the pound of Troy, beſide the faſhion, vpon paine of forfeiture of double. Q. an CB. — The price of ſiluer.

17.Ed.4.1. 18.Eliz. 14. 14 Warneies of ſiluer ſhalbe as fine as the ſtarling, and it ſhall bee touched and marked with the Leopards head. AB. Gold 3.4.5.6. — Fineneſſe of ſiluer.

15 No man ſhall faſten nets to any thing ouer Riuers. AB. Hauens 2. — Nets.

Statutes made at Weſtminſter 30. die Aprilis Anno *3.H.6. & Anno Domini 1425.*

¶ 1 It ſhall be felonie to cauſe Maſons to confederat themſelues in chapters and aſſemblies, whereby they ſo do. And all other Maſons which come to ſuch aſſemblies ſhalbe impriſoned, and make fine at the kings pleaſure. AB. Felonie 22. — Maſons.

2 Whoſoeuer ſhal tranſport any ſheepe to any parts beyond the ſea, without the kings licence (ſauing to victuall Calice) ſhall forfeit them, or the value of them. AL. 8.Eliz. 3. touching the penaltie. — Sheepe.

3 The penaltie of a Cuſtomer, Collector, or Comptroler, concealing the kings cuſtome. AB. Cuſtome 24. — Cuſtomer.

18.H.6.3. 4 The Chauncelor of England may graunt licence vnder the great Seale to any, to conuey Butter and Cheeſe to any other place beſide the Staple. AL. 1.& 2.P.& M.5. — Butter and Cheeſe.

13.Eliz.18 9.H.6.9. 5 The Chauncelor of England may graunt commiſſion at all times needfull to indifferent perſons dwelling thereabout, to redreſſe the defaults of the Riuer of Ley running from Ware to Thames. HR. — The Riuer Ley.

Statutes made at Leiceſter 18. die Februarij, *Anno 4. H. 6. & Anno Domini 1425.*

Sherife. ¶ 1 Euerie Shirife ſhall returne into the Kings courts al writs directed to him, at ſuch dayes as they bee returnable: and ſhall warne all perſons in conuenient time to appeare in the Kings courts, that bee impanelled to paſſe in Enqueſts: Or otherwiſe the partie grieued may haue his action vpon the caſe againſt him, and recouer double damages. EXP.

Protections. 2 A confirmation of the ſtatute of 9. H. 5. 3. touching Protections graunted to thoſe who were in Normandie or France in warre. EXP.

Records. 3 A confirmation of the ſtatute of 14. Ed. 3. 6. & 9. H. 5. 4. which doe giue authoritie to Juſtices, in certaine caſes to amend Records. AB. Records 1. 8. H. 6. 15.

Knights. 4 The writs, ſuits, and proces, now depending of certaine which were of late made knights, ſhall not abate for that cauſe. EXP.

Tranſport corne. 5 A confirmation of the Statute of 17. R. 2. 7. giuing licence to al the kings ſubiects to tranſport corne. But the kings counſel may reſtraine it when they will. AL. 1. & 2. P. & M. 5.

Statutes made at Weſtminſter Quindena S. Michaelis, *Anno 6. H. 6. & Anno Domini 1427.*

Indictments. ¶ 1 Vpon an Indictment of any perſon in the Kings Bench, a Capias ſhall be awarded againſt him, returnable at the leaſt vj. weekes after, before any Exigent ſhall be awarded, or Outlarie pronounced, or els the ſame ſhalbe void. EXP. At Q. viz. To endure ſo long as it ſhall pleaſe the king.

Copies of Pannels. 2 How long time the copies of Pannels in Aſſiſes ſhall be deliuered to the parties before the Seſſions of the Juſtices. AB. Aſſiſe 8. 42. Ed. 3. 11

Seruants. Labourers. 3 The Juſtices of peace in euerie countie, and the Maior and Bailifes in euerie citie, borough, and town, ſhall haue authoritie to make proclamation in their Seſſions once by the yeare, and ſo in euerie borough and market towne within their iuriſdiction, How much euery ſeruant of huſbandrie ſhal take for his ſeruice by the yeare, and how much euerie artificer and workeman ſhall take by the day, and by the weeke, with meat and drinke, or without. And hee that taketh more ſhall forfeit the value of his wages, or bee rl. dayes impriſoned. EXP. 5. Eliz. 4. 8. H. 6. 8.

Parliament. 4 The Sherife may haue a Trauerſe to an office found before Juſtices of Aſſiſe, touching returning knights for the parliament. AB. Parliament 4.

Sewers. 5 Seuerall commiſſions of Sewers ſhall be graunted to ſeuerall perſons, during ten yeares next. The forme of the commiſſion. EXP. 23. H. 6. 9.

Calice. 6 All Marchants may ſhip marchandiſe in Pelcomb Hauen, and carrie them to Calice. CB.

Statutes

Statutes made at Weſtminſter 22. die Septembris, *Anno 8. H. 6. & Anno Domini 1429.*

¶ 1 The Clergie called to the Conuocation ſhal haue ſuch liberties as they which come to the Parliament. AB. Conuocation 1. — Conuocation.

2 No Marchants of England ſhall enter into the dominions of the King of Denmarke, but to Northburum his Staple towne, vpon paine of forfeiture of their goods, and impriſonment. EP. 1. H. 8. 1. — Denmarke.

3 Commiſſioners of Sewers ordained by the Statute of 6. H. 6. 5. ſhall haue authoritie to execute their owne ordinances. EP. — Sewers.

8. Ed. 4. 2. 4 The penaltie for buying or wearing of a liuerie to haue maintenance in any quarrell. AP. Liueries 2. — Liuerie.

9. H. 6. 6. 11. H. 7. 4. 27. Ed. 3. 10. 5 Euerie citie, borough, and market towne, ſhall haue a common ballance and weights, according to the Standerd of the Exchequer, & they ſhall weigh all things by equall ballance. AB. Weights 11 12. 14. No man ſhall buy woollen yarne, if he will not make cloth thereof. AP. Yarne 4. — Weights. Yarne.

6 If any vnknowne perſons by caſting of billes do threaten any other to burne their houſes, if they do not bring them a ſumme of money to a place aſſigned, and after do burne any ſuch houſe, the ſame ſhall be high treaſon. EP. 1. M. 1. 1. Ed. 6. 12. — Threatning by bils caſt.

1. H. 5. 1. 23. H. 6 15. 10. H. 6. 2. 7 What ſort of men ſhall bee chuſers of the knights for the Parliament, and who ſhall be choſen. And the Shirife may examine euerie chuſer vpon his othe, how much in freehold he may expend. AB. Parliament 4. — Parliament.

8 A confirmation of the ſtatute of 6. H. 6. 3. touching the wages of ſeruants in huſbandrie, labourers, and artificers. EP. 5. Eliz 4. — Seruants.

5. R. 2. 7. 15. R. 2. 2. 31. Eliz. 11. 9 The office and duetie of Juſtices of Peace, where any forcible entrie is made into lands, or peaceable entrie, and after detaining with force. AB. Force 2. 3. 4. Iuſtices of peace 89. — Forcib. entry.

10. H. 6. 6. 10 Vpon Indictments or Appeals of perſons dwelling in forrein counties, what Proces ſhalbe awarded againſt them. AB. Indictments 3. — Indictments.

11 The citizens of London may take apprentiſes, according to their antient cuſtome, notwithſtanding the Statute 7. Henr. 4. 17. AB. Labourers 27. — Apprentiſes in London.

8. R. 2. 4. 12 For error aſſigned in any Record, Proces, Writ, Pannell, Returne, &c. no iudgement or record ſhall be reuerſed. The Juſtices may amend ſuch records. Reforming and amending of variance betweene a Record and Certificat. The penaltie for embeſeling of Records. Records exemplified. AB. Records 2. 3. 4. 5. — Records.

13 In all the protections cum clauſula Volumus, for thoſe which ſhall goe with the king into Fraunce, there ſhall be an exception of theſe words Aſſiſæ nouæ diſſeiſinæ. EP. — Protections.

14 The ſtatute of 2. H. 5. 9. which prouideth a remedie againſt him that doth commit any murder, robberie, or batterie, and after doth flie into woods, made perpetuall. But it muſt be witneſſed by two Juſtices of peace of the countie where ſuch riots &c. that the common fame of the countrey runneth of the ſame riots, before the writ of Capias ſhalbe awarded. And if it happen in the countie of Lancaſter, or in a franchiſe where there is a Chauncelor and a Seale, then the ſaid Chauncelor ſhall haue authoritie to award a Capias, vpon complaint to him made by a Juſtice, Sheriſe, &c. CB. — Fugitiue Robbers.

Records. 15 The kings Iuſtices may in certaine caſes amend defaults in Records and Proceſſes. AB. Records 1. 14.Ed.3.6. 9.H.5.4.

Eſchetor. 16 An Eſchetors Commiſſioners ſhal take an enqueſt of inquiry of ſuch perſons onely as be returned by the Sherife. And ſhall certifie an office within a moneth after the taking thereof into the Chauncerie or Exchequer. AP. 4.H.6.3. 18.H.6.7

Patent. Eſchetor 10.11. When a patent may be made of lands ſeiſed vpon an enqueſt taken before an Eſchetor. AB. Patents 26. 36.Ed.3.13. 18.H.6.6.

Calice. 17 Whoſoeuer ſhall ſhip or cauſe to bee ſhipped any woll, felles, leather, lead, or tinne, or carrie the ſame forth of England, Wales, or Ireland, to any other place but to the Staple of Calice, ſhall forfeit the double thereof, and bee two yeares impriſoned: ſauing the marchants of Jene, Venice, Tuſcaine, Lumbardie, Florence, Cataloigne, &c. And alſo ſauing the Burgeſſes of Berwicke. EXP. 1.H.8.10.

Staple. 18 Certaine ordinances made for the prices of the marchandiſes, and for the ſupportation of the Staple, and Mint at Calice. EXP.

Calice. 19 If any Mariner ſhall receiue into his ſhip any marchandiſes, or carrie them to any other place ſauing to the Staple of Calice (except ſuch which paſſe the ſtraits of Maroke) he ſhall forfeit his ſhip and goods therein. EXP.

Calice. 20 No marchant dwelling continually in Calice, ſhall buy beyond the ſea any marchandiſes belonging to the Staple, vpon paine of forfeiture thereof. EXP.

Repeale of licences. 21 A repeale of all licences granted to men of Newcaſtle and Berwicke, to tranſport marchandiſes of the Staple to other places then to Calice. If any will carrie marchandiſes of the Staple into Scotland, he ſhall forfeit the double value thereof, and be a yere impriſoned.

Woll. 22 What is requiſit in winding and packing of woll. No ſtranger ſhall force, clacke, or beard any woll. AB. Wooll 8.

Thrummes. 23 The penaltie for carrying of thrummes or woollen yarne out of the Realme. AB. Yarne 3. 23.H.6.3.

Marchants Aliens. 24 No man ſhalbe compelled, or make promiſe to pay to marchants aliens for their marchandiſes in gold, but in ſiluer. No Engliſhman ſhal ſell within this Realme his marchandiſes to an alien, but for preſent paiment in money, or marchandiſe, vpon paine of forfeiture thereof. CB. 9.H.6.2.

Maior of the Staple. 25 The Maior of the Staple that now is, ſhall continue in his office vntil A. and two yeares after. EXP.

Cognisance. 26 The penaltie if in Aſſiſe, or any perſonall action, the defendant make default, to put the Lords, Maiors, Bailifes, &c. from their iuriſdiction. AB. Aſſiſe 9.

Tewkſburie. 27 A remedie for the inhabitants of Tewkſbury in the countie of Glouceſter, to recouer (according to the ſtatute of Wincheſter) againſt the people of the forreſt of Dean, and hundred of Bledſlow, and Weſtbury, recompence for ſuch robberies, oppreſſions, and wrongs, which haue beene, or ſhall be done vnto them, vpon the Riuer of Seuerne. CB. at Q.

Burford bridge. Culhamford bridge. 28 There ſhalbe a bridge made ouer the water of Burford, and another ouer the water of Culhamford, in the high way leading from Abingdon to Worceſter in the countie of Orford. And there ſhalbe foure perches and eight inches in breadth betweene the ditches of the ſame way. And all people may amend the ſame bridges, way, and ditches, plant trees there, and loppe them to repaire the ſame. HR.

Enqueſts de Medietate linguæ 29 A confirmation of the Statute of 28. Ed. 3. 13. ordaining, that an enqueſt ſhall bee de Medietate linguæ, where an alien is partie. And the Statute 27.Ed.3.8.

tute of 2. H. 5. 3. doth onely extend to Enqueſts taken betweene denizen and denizen. AB. Iurors 11. 29.

Statutes made at Weſtminſter 11. die Ianuarij, Anno *9. H. 6. & Anno Domini 1430.*

¶ 1 All Aſſiſes and Niſi prius ſhall bee adiourned during the time of this Parliament vntill certaine dayes to bee prefixed by Proclamations, which Proclamations ſhalbe made in euerie countie at the leaſt xv. daies before, and ſhall haue the effect and force of Attachments. EXP. Adiournment.

2 Engliſh Marchants may ſell their marchandiſes to Aliens, giuing them onely fiue moneths of paiment: Notwithſtanding the Statute of 8. H. 6. 24. CC. Marchants paiments.

3 A confirmation of all Indictments, Inquiſitions, Proceſſes, Records, Iudgements, and Statutes made againſt Owen Glendor, notwithſtanding any miſpriſion, error, &c. But this ſhall not be preiudiciall to the heires of the bloud of the ſaid Owen, as to any lands in taile. HR. Owen Glendor.

37. Ed. 3. 2. 4 An Idemptitate nominis maintenable by the executors of any Teſtator, wrongfully moleſted by colour of any Outlarie. AB. Shirifes 23. Idemp. nom.

5 All men ſhall haue free paſſage in the riuer of Seuern, with flotes, drags, goods, and cattels, without the diſturbance of any. And hee that is moleſted ſhall haue his action at the common law. AL. 23. H. 8. 12. touching the penaltie. Seuerne.

6 By the Statute of 8. H. 6. 5. The Burgeſſes of Dorcheſter ſhall not be diſturbed to vſe their weighing by fiue miles about the ſame Borough &c. AB. Weights 11. Dorcheſter.

11. H. 6. 7. 7 No Sherife or vnderſherife of the County of Hereford ſhal take money by extortion, or do any wrong in his Turne, or other place, by colour of his office, vpon paine of forfeiture of v. l. EXP. Sherife of Hereford.

8 The weight of a weigh of Cheeſe ſhall containe xxxij. cloues, and euerie cloue vij. l. AB. Weights 6. weigh of cheeſe.

3. H. 6. 5. 13. El. 18. 9 A Commiſſion ſhall be granted to certaine perſons to ſkoure and amend the riuer of Ley in the counties of Eſſex, Hertford, and Middleſex. EXP. Ley.

10 A confirmation of the Statute of 3. H. 5. 2. authorizing certain Abbots and Priors to make Attourneyes. EXP. Attourneyes

11 Proclamations thereof ſhall bee made in the Chancerie, before a writ ſhal be awarded to the Biſhop to certifie Baſtardie. AB. Baſtardie 3. Baſtardie.

Statutes made at Weſtminſter, 12. die Maij. Anno *10. H. 6. & Anno Domini 1432.*

¶ 1 Recogniſances of debts taken before the Maior and Conſtable of the Staple of Calice beyond the ſea, ſhalbe as effectuall and executorie within this realm, as Recogniſances taken before the Maior and Conſtables of the Staples at Weſtminſter be. Q. both for the force and vſe hereof. Recogniſances taken at Calice.

8. H. 6. 7. 2 He which ſhalbe a chuſer of the Knights of the Parliament, muſt bee reſident within the ſame countie, and haue freehold lands to the yearely value of vl. s. AB. Parliament 4. Parliament.

3 If any of the King of Denmarkes ſubiects ſhall take from any of the Kings ſubiects any marchandiſe or goods vpon the ſea: the Keeper of the kings Denmarke.

priuie Seale ſhall haue authoritie to make the partie greeued letters of requeſt vnder the priuie Seale, without other purſuit to bee made to any for reſtitution. And if reſtitution ſhall not bee made of ſuch letters, the King and his Counſel wil prouide conuenient remedy according as the caſe requireth.

False entry. 4 The penaltie of him which maketh a falſe entrie, that the plaintife doth offer himſelfe in perſon, where he doth not. AB. Appearance 1. 18.H.6.9.

Calice. 5 A reuiuer of the Statute made 21.R.2.18. touching the repaire of Calice. EXP.

Indictment. 6 What Proces ſhall be awarded vpon an Indictment remooued into the Kings Bench. AB. Indictment 4. 8.H.6.10.

Wools. 7 All wools and woolfels which ſhall bee carried to any other place, then to Calice, ſhalbe forfeit to the King and the Finder. EXP. 14.H.6.5.

Statutes made at Weſtminſter 8. die Iulij, Anno 11.
H.6. & Anno Domini 1433.

Stewes. ¶ 1 They that dwell in the Stewes in Southwarke in the countie of Surrey ſhall not be impanelled in Iuries: Nor keepe common houſtries or tauerns in any other place of Southwarke, but at the Stewes. EXP.

Sheriſe diſſeiſor. 2 The penaltie where a Sheriſe is named a diſſeiſor in Aſſiſe, to the intent he ſhall not ſerue the writ. AB. Aſſiſe 9.

Pernors of the profits. 3 An Aſſiſe or other action ſhall be maintenable againſt the Pernor of the profits. AL. 27.H.8.10. 1.R.2.9. 4.H.4.7. 1.H.7.1.

Attaint. 4 The Plaintifes in Attaint ſhall recouer their coſts and dammages againſt the Tenants, Iurors, and Defendants. AB. Attaint 5.

Waſt. 5 The remedie for him in the Reuerſion, where tenant for terme of life or yeares granteth ouer his eſtate, continueth the taking of the profits, and committeth Waſt. AB. Waſt 4.

Diſcontinuance. 6 No ſuit before any Juſtices, or Commiſſioners ſhall be diſcontinued by a new Commiſſion. AB. Diſcontinuance &c. 6. 1.Ed.6.7.

Hereford. 7 A continuance for three yeares of the Statute of 9. H. 6.7. touching extortion done by the Sheriſes of Hereford. EXP.

Weights and meaſures. 8 A confirmation of the Statute of 1.H.5.10. & 8.H.6.5. and of all other Statutes made touching weights and meaſures. And all Maiors, Bailifes, and Juſtices of peace ſhall put them in execution. AL. 11.H.7.4.

Streits. 9 Clothes called Streits ſhall contain in length fifty. yards, and in breadth one yard vnwatered, or els fy. yards watered. AL. 27. Eliz. 18.

Execution. 10 He that ſueth to defeat an execution vpon a Statute, being remooued by Corpus cum cauſa, ſhal find ſuerties to ſatiſfie both the king and the partie. AB. Corpus &c. 2.

Parliament. 11 The punichment of ſuch as make aſſault, or fray, vpon any that do come to the Parliament. AB. Fighting &c. 5. 5.H.4.6.

Waxe. 12 What waxe-chaundlers ſhall take for their works of waxe, more then the waxe is worth. AB. Waxe &c. 8. Iuſt. of peace 42.

Bullion. 13 Wools, fels, and tynne brought to Calice, ſhalbe ſold for ready money. A certaine quantitie of Bullion ſhalbe brought into the Mint, for euery ſacke of woll ſold. EXP.

Shipping in creikes. 14 It ſhalbe felonie to ſhip or carry, or cauſe to be ſhipped or carried, any marchandiſes of the Staple in Creikes. EXP. 4.H.4.20. 1.Eliz.11.

Cuſtomer. 15 The forfeiture of the cuſtomer, or controller, which wil not make warrant to diſcharge the marchant that hath paid his cuſtome. AB. Cuſtomer 17.

Cuſtomer. 16 If a Cuſtomer ſeale any blanke ſkrow with the ſeale of his office: Or if any

if any Marchant enter or write, or cauſe to bee written in ſuch blanke ſkrole, his goods, or marchandizes, to defraud the King of his cuſtomes or ſubſidies, The offendor ſhall forfeit all his goods, and be three yeares impriſoned. EXP.

Statutes made at Weſtminſter 10. die Octobris, Ann. 14.H.6. & An. Dom. 1435.

¶ 1 Juſtices of Niſi prius ſhall haue authoritie to giue iudgement, as well where one is attainted of Treaſon, or Felonie, as where hee is acquite. AP. Iuſt. of Niſi prius 7. — Juſt. of Niſi prius.

15.H.6.8. 18.H.6.15. 4.Ed.4.2 — 2 All Wools and Fels that ſhalbe ſhipped ouer the ſea, ſhalbe caried to Calice, and there ſold. And no licence ſhal be graunted to the contrary. Sauing to the K. authoritie to modefie this Statute by the aduice of his Counſell. And ſauing to the Marchants of Jeane, Uenice, Tuſkaine, Lumbardie, Florence, and Cataloigne, and the Burgeſſes of Berwicke the liberties graunted them by another Statute. CB. — Calice.

3 The Seſſions of the Juſt. of Aſſiſe and Gaole deliuery in the Countie of Cumberland, ſhalbe holden at Carliel. AB. Iuſt. of Aſſiſe 7. — Carliel.

4 The Juſtices of Peace of the Countie of Middleſex are bound to keepe their ordinarie Seſſions but twice in the yeare. AB. Iuſt. of Peace 5. — Middleſex Seſſions.

10.H.6.7. 11.H.6.14. — 5 All marchandizes ſhipped in Creekes ſhall be forfeited to the King. And he that will ſhip any marchandize to carry to Calice, and doth tranſport them elſewhere, ſhall forfeit them. EXP. — Creekes. Calice.

6.R.2.10 1.H.4.17. — 6 The forfeiture of him which diſturbeth any alien bringing in victailes, to ſell in groſſe, or by retaile. AB. Victailes 2. — Victailes.

7 Ships or marchandizes taken vpon the ſea by any of the K. liege people, from any forreiners being in amity with the king, but not vnder his Safeconduct, ſhall not be reſtored. EXP. — Safe-conduct.

20.H.6.11. — 8 The ſtatute of 2.H.5.6. touching breakers of Truce and Safe-conducts, ſhall be ſuſpended by. yeares. — Truce.

Statutes made at Weſtminſter 21. die Ianuarij, Anno 15.H.6. & Anno Dom. 1436.

¶ 1 In a ſuit commenced before the Marſhall of the K. houſe, the defendant ſhall not be eſtopped to plead, that the plaintife or hee are not of the K. houſe. AB. Marſhall 2. — Marſhall.

23.H.6.6. 1.& 2.P.& Ma.5. — 2 Corne may be tranſported without licence to any Countrey (ſauing the K. enemies) when Wheat doth not exceed vj.s. viij.d. and Barley iij.s. iiij.d. the Quarter. AL. 1. Iacob. 25. — Corne tranſported.

13.Eliz.13. 18.H.6.8. — 3 The clauſe Vidimus ſhall not be put in a Safe-conduct, but vpon ſome ſpeciall cauſe: And what things be requiſite to make a Safe-conduct effectuall. AB. Safe-conduct 1. — Safe-conducts

4 No perſon ſhall ſue forth a Subpœna, vntill he find ſurety to ſatiſfie the defendant his damages and coſts, if he do not verifie his Bill. CB. — Subpena.

5 No Sherife, Bailife of Franchiſe, or Coroner, ſhall returne vpon an Attaint of plea of land, to the yerely value of xl.s. or of deeds touching land to that yerely value, or of things perſonall to the value of xl.li. any Iuror, except he be inhabitant in the ſame County, and hath there freehold land to the yearely value of xl.li. out of Auncient demeſne, the v. Ports, & Gauelkind, if ſo many ſhal be liuing in the ſame County. AL. 23.H.8.3. — Iurors in Attaint.

6 A reſtraint of vnlawfull orders made by Maſters, Wardens, or Gouernors — Orders.

uernors of guilds, fraternities, and other Companies. AL. 19.H.7.7.

Attorneyes. 7 All Abbots, Priors, and other Religious perſons, and all ſecular perſons may vnder their ſeales make their generall Attorneyes in euery hundred and wapentake within the realme, to plead for them, and to win and loſe in euery manner of plea. To continue ſo long as it ſhall pleaſe the King. Q. 20.H.3.10. 13.Ed.1.10. 27.Ed.1. 7.R.2.14.

Calice. 8 No perſon ſhall ſhip any marchandizes of the Staple, but at the keyes & wharfes aſſigned, where the kings weights & wools be. And euery Maſter of a ſhip ſhall find ſureties to the Cuſtomer, to carry them to Calice, Sauing to the Marchants of Jeane, Venice, Berwicke &c. their liberties. CB. 4.Ed.4.2 14.H.6.2. 18.H.6.15.

Statutes made at Weſtminſter 12. die Nouembris, Ann. *18.H.6. & An. Dom.1439.*

Patents. ¶ 1 Letters Patents ſhal beare the date of the deliuery of the K. warrant into the Chancerie. AB. Patents 1.

Gauelkind. 2 They which haue Gauelkind lands to the yerely value of xx. li. may be returned in Attaints: Notwithſtanding the ſtatute of 15.H.6.5. 23.H.8.3.

Butter and Cheeſe. 3 The Kings liege people may carry Butter and Cheeſe out of the Realme without licence, to any place being of the K. amitie. But the King may reſtraine it when he pleaſe. AL. 1 & 2.P. & M.5. 3.H.6.4.

Marchants aliens. 4 No Marchant alien ſhall ſell any marchandizes in England to another Marchant alien, vpon paine of forfeiture thereof. The Mayor, Baylife, or chiefe officer of the citie, borough, or towne where any Marchant alien ſhall repaire, ſhall aſſigne to euery ſuch Marchant an Hoſt or Surueyor, who ſhall ſurney all his buyings and ſellings, and regiſter them in a booke, and certifie them into the Exchequer, and ſhall haue y. pence in the pound for all marchandize by him bought or ſold. The ſame Alien ſhall ſell all his marchandize for other marchandize, or for money, and therewith buy Engliſh marchandize within viy. Moneths after his arriuall, vpon paine of forfeiture thereof. The Marchants of Almaine ſhall not be compriſed in this Act. EXP. 5.H.4.9.

Collector of fifteene. 5 No man dwelling in any City or Borough, appointed to be Collector for the Fifteene there, ſhall be Collector in the ſame County, out of the ſaid Citie, except he hath lands to the yerely value of C.s. in the ſame Countie out of the ſaid Citie, or &c. CB.

Patents. 6 No lands ſhalbe granted by letters Patents, before the K. title thereunto be found by inquiſition, nor within a Moneth after the returne thereof. AB. Patents 26. 36.Ed.3.13. 8.H.6.16. 1.H.8.10.

Office. 7 An Eſcheator ſhall returne an office found before him into the Chaunce-rie, or Exchequer, within a moneth. AB. Eſcheators 10. 8.H.6.16.

Safeconduct. 8 What things bee requiſite thereunto to make the Kings Safeconducts effectuall. AB. Safeconduct 1. 15.H.6.3. 20.H.6.1.

Atturney. 9 The warrant of Atturney ſhall bee entered on record the ſame Terme, that the Exigent is awarded. AB. Atturney 12.

Sewers. 10 By x. yeres next enſuing, ſeuerall Commiſſions of Sewers ſhall be made to diuers perſons, in all the parts of the Realme, where need ſhall be. EXP.

Juſtice of Peace. 11 No man ſhall be Juſtice of Peace (but in certaine caſes) vnleſſe he hath lands or tenements to the yearely value of xx. li. AB. Iuſtice of Peace 3.

Indictments. 12 Appeales, or Indictments of Felony or Treaſon, ſuppoſed to bee committed in a place, where there is none ſuch, ſhal be void. AB. Conſpiracie 3. 7.H.5.1. 9.H.5.1.

Outlaw in Lancaſhire. 13 No man outlawed in the Countie of Lancaſter, ſhall forfeit any other lands or goods, but ſuch as he hath in the ſame Shire. HP. 33.H.6.2. 9.H.5.2. 20.H.6.2.

Decies tantum 14 If any Shirife or other which hath authority to make arraies and pannels, 31.H.6.6.

nels, ſhall take any reward to make ſuch array or &c. The party grieued ſhall haue his ſuit againſt him, & recouer x. times ſo much as he hath receiued. EXP.

14.H.6.2. 15.H.6.8. 4.Ed.4.2. 15 It ſhalbe Felony to cary, or cauſe to be caried any Wools or Fels to any other place then to the Staple of Calice. Sauing ſuch as ſhall paſſe the ſtreits of Marocke. CB. — Calice.

16 There ſhalbe one meaſure of Cloth through the realme, by the yard and the full ynch, and not by the yard, and the full hand, according to the meaſure of London. EXP. — Meaſure of Cloth.

27.Ed.3.8. 1.R.3.13. 17 Veſſels of wine, oyle, and honey ſhall be gauged: And the contents of euery of the ſaid veſſels. AB. Wines 13. — Gauging.

18 A Captaine which doth detaine any part of his ſouldiers wages, ſauing for his clothing (viz. x.s. a gowne for a gentleman, and vj.s. viij.d. for a yeoman for halfe a yeare) ſhall forfeit to the King xx.li. for euery Speare, and x.li. for a Bow from whom he doth abate. AL. 2. Ed.6.2. — Souldiers wages.

2.Ed.6.2. 19 The puniſhment of a Souldier retained to ſerue the King in warres, which goeth not with, or departeth from his Captaine, without licence. AB. Captaines &c. 3. — Souldier.

Statutes made at Weſtminſter 25. die Ianuarij,
Anno 20. H. 6. & An. Dom. 1442.

18.H.6.8. 15.H.6.3. ¶ 1 All letters of Safe-conduct, which be not inrolled in the Thauncerie, before the deliuerie of them, ſhall be voide. And they which will take any aduantage of them, muſt haue them ready in their Ships to ſhew. AB. Safe-conducts 1. 2. — Safe-cõducts

9.H.5.2. 18.H.6.13. 31.H.6.6. 2 No perſon againſt whom an Exigent is awarded, or Outlarie pronounced in the County of Lancaſter, ſhall forfeit any lands or goods, but which he hath within the ſame Countie: Nor ſhalbe diſabled of any action, or barred to claime inheritance out of the ſame Countie. EXP. 33.H.6.2. — Outlarie in Lancaſhire.

2.H.4.16. 3 It ſhal be high Treaſon for Welſhmen to take and carry away Engliſhmen, or their goods or cattels, into Wales, or there to withhold them. EXP. — Welſhmen.

4 Thoſe Denizens which ſhall haue the K. Licence to carry wols, fels, or tynne, to any other place then to the Staple, ſhall pay ſuch cuſtomes and duties to the K. as Marchants aliens doe. EXP. — Licences.

11.H.4.2. 5 No Cuſtomer, Comptroller, &c. ſhall haue a Ship of his owne, vſe marchandize, keepe a wharfe, or an Inne, or be a factor. AB. Cuſtomes 23. — Cuſtome.

6 The ſtatute of 15.H.6.2. touching tranſporting of Corne, ſhalbe reuiued and continued vntill the nert Parliament, or for x. yeares. EXP. — Corne.

7 If any bring marchandizes from beyond the ſeas into any port of Wales, and after conuey them into England, being not cuſtomed: Or ſend any marchandize of the Staple out of any Port in Wales beyond the Sea, without paying cuſtome, he ſhall forfeit them. EXP. — Cuſtome.

2.H.4.14. 8 The K. Purueiors who will take cattell to the value of xl.s. or vnder, and not make preſent payment, may be reſiſted. AB. Purueiors 22. — Purueiors.

9 The order of triall of Ducheſſes, Counteſſes, or Baroneſſes, being indicted of Treaſon, or Felonie. AB. Triall 8. — Triall.

7.Ed.4.1. 23.H.6.4. 10 The length and breadth of all ſorts of Worſteds made in Norwich and Norfolke. And a prouiſion for the true making of them. EXP. — Worſteds.

14.H.6.8. 11 A repeale of ſo much of the ſtatute of 2.H.5.6. as maketh the breaking of Truce and Safe-conducts high Treaſon. — Truce.

12 There ſhalbe a reformation of partition of wols, and woll-fels, by the Maior and Conſtables of the Staple of Calice. EXP. — Partition of woll.

Statutes

Statutes made at Weſtminſter 25. die Februarij,

Anno 23.H.6. & Anno Dom. 1444.

Purueiors. ¶ 1 A confirmation of the Statute of Purueyors, made 36.Ed.3.2. AB. Purueyors 16. 17.

Purueiors. 2 The Purueiors oath to take nothing contrary to the ſtatute of 36.E.3.2. and Purueiors attempting to take contrary to the ſaid ſtatute, ſhalbe reſiſted. AB. Purueiors 20.21.

Thrummes. 3 Whoſoeuer ſhall packe or ſhip Thrummes, or woollen threeds, to paſſe beyond the ſea, ſhal forfeit them, or the value of them, be one yeare impriſoned, and make fine, and ranſome. EXP. 8.H.6.23.

Worſteds. 4 Foure Wardens to be choſen yerely within the City of Norwich, & other foure within the County of Norfolke, ſhall ſet downe orders for the true making of Worſteeds within Norwich, Norfolke, and Suffolke. EXP. 20.H.6.10. 7.Ed.4.1.

Outlawes in Wales. 5 Thoſe people of Wales which be indicted or outlawed of Treaſon, or felony, and do repaire into Herefordſhire, ſhalbe apprehended and impriſoned, or purſued by huy and cry. A Knight ſhall forfeit C.s. an Eſquire rl.s. and euery other perſon rr.s. which doth not purſue the huy and cry. And the Statute of 3.E.1.9. ſhalbe put in execution. CB.

Coyne. 6 The Statute of 15.H.6.2. touching tranſporting of Coyne made perpetuall. AL. 1.Iacob 25.

Head pence. 7 The gathering of head Pence by the Sheriſe of Northumberland, ſhall ceaſe for euer, vpon paine of C.l. CB.

Sheriſe. 8 No man ſhall be Sheriſe, Vndersheriſe, or Sheriſes Clerke aboue one yeare (except the Vndersheriſe within the city of London &c.) AB. Sheriſes 4. 42.Ed.3.9 14.Ed.3.7

Sewers. 9 The Chancelor of England may grant Commiſſions of Sewers during vi.yeares, as it was ordained 6.H.6.5. EXP.

Shiriſes. 10 No Sheriſe ſhal let to ferme his County, or any Bayliwike. The Sheriſe and Bayliſes fees for arreſts, and making copy of a pannell. The Sheriſes duty in bailing of perſons arreſted, in taking Obligations for apparance, and making of deputies in ſeuerall Courts. AB. Sheriſes 5.6.7.8.9.10.11. 4.H.4.5.

Parliament. 11 The order of leuying the wages of the Knights of the Shire for the Parliament. AB. Parliament 12.

Forreine plea 12 If any tenant or defendant in an Action reall or perſonall, after iſſue ioyned & entred of record, and a Venirefacias returned, wil after at another day plead a forrein plea, triable in another Court then where the writ is brought, or the ſuit commenced, and the demandant or plaintife in ſuch forrein plea wil plead to an iſſue: Such iſſue in the forrein plea ſhall be tried where the writ is brought, and by the ſame Jury ſo returned. EXP.

Seruants. Labourers. 13 A ſeruant in huſbandry purpoſing to depart from his Maſter, ſhall giue him warning halfe the yere before: or els he ſhal ſerue him the yere following. The ſeuerall wages of ſeruants in huſbandry, and of Labourers with meat and drinke, or without. EP. 5.Eliz.4. 11.H.7.22.

Purueyor. 14 The penalty if a ſubiects Chator do take any thing againſt the owners conſent. AB. Purueyor 1.

Parliament. 15 The manner of the election of the Knights and Burgeſſes for the Parliament. A remedy where he that is choſen is left forth, and another returned. Who ſhalbe Knights for the Parliament. AB. Parliament 4.5.6.7.8.9. 11.H.4.1. 1.H.5.1.

Gaugeor. 16 The gauge peny ſhal not be paied to the Gaugeor, vntill he or his deputie hath gauged the wines: and then he ſhall take the peny, and no more. A Gaugeor being requeſted, ſhalbe ready to do his office, vpon the paines limitted by the Statute of 27.E.3.8. AB. Wines 14.

17 Within

1.H.8.8. 17 Within what time, and where an Eſcheator ſhal take his Enquests of office. An Eſcheators fee for the finding of an office. AB. Eſcheator 9. Eſcheator.

18 No new Impoſitions or Charges ſhall be layed vpon them which buy wines in Gaſcoigne, and Guian, by any of the Kings officers in thoſe parts, vpon paine of forfeiture of rr.li. and treble dammages. CB. Wines.

¶ 1 A Statute made at S. Edmunds Bury 10. die Februarij, Anno 25.H.6. & Anno Domini 1447. All graunts of Fraunchiſes, Markets, Fayres, and other Liberties to buy and ſell within the Townes of Northwales made to any Welſhman ſhall bee void. All the Kings villeines in Northwales ſhall bee bound to doe ſuch labours and ſeruices, as they haue vſed to doe in olde time, notwithſtanding any graunt to them made to the contrarie. Northwales. A repeale.

Statutes made at Weſtminſter 12. die Februarij, *Anno 27.H.6. & Anno Dom. 1448.*

28.H.6.1. 4.Ed.4.5. ¶ 1 If woollen Clothes made in this Realme ſhall be forbidden to be ſold within the dominions of the Duke of Burgonie in Brabant, Holland, & Zeland, Then no Marchandize or goods of the growing or workmanſhip of the lands of the ſaid Duke ſhall come into England. EXP. Duke of Burgonie.

2 Becauſe in the raigne of King Edw.3. Subſidies and Cuſtomes of the Staple of Calice were lxviij.M.li. yearely, and now be not aboue xy.thouſand pounds, in reſpect of ſeuerall licences graunted, Therefore no licence granted, or to be granted by the king, ſhall be auailable for cariage of Wools, Felles, or Tinne to any place out of the Realme, but to Calice. And whoſoeuer doth obtaine, accept, and put in execution any ſuch licence, ſhalbe out of the Kings protection. EXP. Cuſtome of Calice.

4.H.4.15. 17.Ed.4.1. 3.H.7.8. 3 Marchants Aliens that bring marchandize into the Realme, ſhal beſtow all their mony vpon other marchandize, and carry forth no gold or ſiluer, vpon paine of forfeiture thereof. And if any do, euery perſon that will, ſhall haue an Action of debt againſt the Cuſtomers, Comptrollers, or Searchers, in whoſe default ſuch money was carried forth, and recouer the value of the marchandize brought in. EXP. No gold &c. tranſported.

4 A continuance for 3. yeares of the Statute of 20.H.6.3. Touching a puniſhment for Welſhmen that do carry away Engliſhmen &c. EXP. Welſhmen.

5 Certain feaſts or daies wherin Faires or Markets ought not to be kept. AB. Faires &c. 2. Faires.

6 A Pardon by the King to all Priests as well religious as ſecular. Pardon.

Statutes made at Weſtminſter 6. die Nouembris, *Anno 28.H.6. & An. Dom. 1449.*

¶ 1 The Statute of 27.H.6.1. Prohibiting the ſale of woollen Clothes in Brabant, Holland, and Zeland, reuiued for vj.yeares. EXP. Clothes.

3.Ed.1.31. 20.H.2.5. 2 The penaltie for taking of a horſe or cart without the deliuery of the owner, and of ſome officers for taking money to ſpare any mans horſe or cart. AB. Purueiors 13. Purueiors.

3 The K. Pardon to thoſe that were Sheriffes, Vndersheriffes, or Clerkes, the laſt yeare before, for occupying that place aboue one yeare, contrary to the Statute of 23.H.6.8. EXP. Pardon.

Diſtreſſe. 4 It ſhalbe Felony for any Welſh or Lancaſhire men, to take other mens goods or cattels vnder colour of diſtreſſe, where they haue no fee, ſeigniorie, or cauſe of diſtreſſe, but fained quarrels. EXP.

Extortion. 5 If any of the Searchers, Controllers of ſearch, Water-baylifes, Collectors, or Surueyors of cuſtome, or their deputies, or ſeruants, &c. within the Ports of this Realme, by colour of their offices, ſhal wrongfully by conſtraint, make any diſtreſſes and arreſts vpon the ſhips, barges, balengers, goods, or marchandize, of any of the Kings liege Marchants: The party grieued ſhall haue againſt the offendor a generall action of Treſpas, and recouer tri. K. for the vſe hereof.

Statutes made at Weſtminſter 6. die Nouembris, *Anno 29. H. 6. & An. Dom. 1450.*

John Cade. ¶ 1 John Cade deceaſed ſhall bee attainted of high Treaſon: All his lands and goods ſhall be forfeited to the King, which he had the 8. day of July before his death, and his blood ſhalbe corrupted: and he ſhal be called a falſe Traytor for euer. HR. 31.H.6.1.

Conſeruators of Truce. 2 The Lord Chauncellor and one of the chiefe Juſtices ſhall haue the like authoritie which the Conſeruators of the Truce and Safe-conducts haue by the Statute of 2. H. 5. 6. What Proces they may award againſt offendors. EXP.

Exemption at Yorke. 3 Letters Patents graunted, or after to be graunted, to citizens of Yorke to be exempt of the offices of Mairaltie, Sherifewike, Chamberlain, Collector of diſmes, and quinzimes, and citizen for the Parliament, ſhalbe void. And the citizen which purchaſeth, or taketh ſuch exemption, ſhal forfeit tri. K. to the king, and the Mayor and Citizens of Yorke &c. HR.

Other Statutes made at Reading, 6. die Martij, An. 31. *H. 6. & Anno Dom. 1452.*

John Cade. ¶ 1 John Cade calling himſelfe Mortimer, and Captaine of Kent attainted of high Treaſon: And all Indictments and acts done by his authoritie, repealed. HR. 29.H.6.1.

Contempt. 2 Such as hauing receiued the K. writs vnder the great Seale, or letters vnder the priuie Seale, or warned by Proclamation, to appeare before the K. Counſell, or in the Chancerie, do diſobey, or refuſe, at the firſt time ſhall loſe all his offices, fees, and other poſſeſſions which he hath of the K. gift, At the ſecond Proclamation ſhall loſe for the terme of his life his Title of honor, and place in Parliament, and all his lands. And a man of liuing vnder the eſtate of a Lord, ſhall pay a fine according to the diſcretion of the two chiefe Juſtices. And hee that hath no land, ſhall be out of the K. protection. EXP.

Marches. 3 Attachments in the Eaſt and Weſt Marches toward Scotland, ſhall be made in Cumberland, Northumberland, Weſtmerland, or the town of Newcaſtle vpon Tine onely. EXP. 4. Iac. 1.

Safe-conduct 4 By what meanes hee ſhall obtaine remedy, who hauing a Safe-conduct is robbed vpon the ſea. AB. Safe-conducts 3.

Officers. 5 No Cuſtomer, Controller, Aulneger, &c. ſhal haue any eſtate certaine in his office, but remaine remoueable at the K. pleaſure. AB. Offices 3. 14.R.2.10. 17.R.2.5.

Lancaſhire. 6 The ſtatute of 20. H. 6. 2. touching the forfeiture of thoſe which bee outlawed in Lancaſhire, made perpetuall. EXP. 33. H. 6. 2. 1.H.4.13.

Reſtitution. 7 Whereas by a ſtatute not printed, made Anno 28. H. 6. The King did take

take, reſume, ſeiſe, and retaine in his hands and poſſeſſion, all honours, mannours, lands, tenements, rents, &c. which he had graunted by his letters Patents, or in any other maner, ſithence the firſt day of his Raigne. And that all graunts of rents charge, or annuities to be taken out of his Cuſtomes, Subſidies, Aulnage, Hamper, or Receit, ſhall be voide. But fees, rewards, wages, and profites of old time belonging to thoſe offices, ſhall not be comprized within the ſaid Act of Reſumption.

8 A Subſidie before graunted to the King, of Wools, fells, and Cloth tranſported, in ſome ſort qualified. EXP. Subſidie.

9 A remedie for a Woman which is enforced againſt her will to be bound by Statute or Obligation. AB. Women 14. 15. Women.

Statutes made at Weſtminſter 9. die Iulij,
Anno 33. Hen. 6. & Anno Dom. 1455.

¶ 1 A remedie for Executors, againſt the Seruants of their Teſtatour, which imbeziled their Maſters goods after his death. AB. Executors 5. Seruants.

2 A repeal of the Statute of 31. H. 6. 6. touching the forfeiture of ſuch as be outlawed in the County of Lancaſter. By what Iurors an Indictment ſhall be found in the County of Lancaſter, of a forrein dwelling in an other County: Et econuerſo &c. AB. Iurors 17. 18. Inditement in Lancaſhire.

3 Ordinances what fees the Clerkes and Officers of the Exchequer ſhall take of Accomptants, and their penaltie for extorcion. EXP. Exchequer.

4 Whoſoeuer commonly brewing Ale or Beere in Kent to ſell, ſhall make, or cauſe to be made aboue 100. quarters of Mault, ſhall forfeit x. li. EXP. Mault.

3. Ed. 4. 3. 22. Ed. 4. 3. 1. R. 3. 10. 1. H. 7. 9.

5 No wrought Silke belonging to the miſterie of Silke women (except Girdles that come from Jeane) ſhall be brought into this Realme by the way of Marchandize, vpon paine of forfeiture thereof. EXP. Silke

6 The Abbot of Fountaine in the County of Yorke, in a ſuit commenced againſt him in a Court Baron, Wapentake, &c. may wage his law by his Attourney, where wager of law is allowable. And he may doe his law by a Monke of the ſame houſe, & vj. others authorized by the common ſeale of the ſame Monaſterie. EXP. Fountaine.

7 There ſhall be but vj. common Attournyes in Norffolke, vj. in Suffolke, and two in Norwich, to be Attournyes in Court of Record, which ſhall be elected and admitted by the two chiefe Juſtices. Q. whether in force, for it is not in vſe. Attornyes.

Statutes made at Weſtminſter 7. die Octobris,
An. 39. H. 6. & Anno Domini 1460.

¶ 1 A repeal of a Parliament holden at Couentrie 20. die Nouembris, Añ 28. H. 6. And all Actes, Statutes, & ordinances made by authoritie of the ſame Parliament ſhall be reuerſed, viz. being Stat. not printed. Repeal.

2 A woman of the age of xiiij. yeares at the death of her auncеſtour ſhall haue Liuerie of her landes. AB. Wardes 12. Liuerie.

Statutes made at Weſtminſter 4. die Nouembris, *Anno* 1. *Ed.* 4. *& Anno Dom.* 1461.

King. H. 4. K. H. 5. K. H. 6.

1 WHat Actes done by King Henry the fourth, K. H. 5. and K. H. the firſt, late kings of England in deede, but not of right, or by others in the time of their Raignes, ſhall continue good, & effectual, and which not. Search a Statute not printed.

Indictments in Turnes.

2 Indictments taken in Shirifes Turnes ſhall be deliuered to the Juſtices of peace, who ſhall award proces againſt the perſons indicted, and deliuer the eſtreats to the Shirife. AE. Shirifes 12. 13. 14. 15.

Statutes made at Weſtminſter 29. die Aprilis, *Anno* 3. *Ed.* 4. *& Anno Domini* 1463.

Marchants.

¶ 1 No Alien ſhal ſhip or carie out of the Realme any wolls, felles, morlings or ſhorlings, Neither ſhall any Denizen carie them but to Calice, Except ſuch as be growing in Northumberland, and Cumberland, Weſtmerland, and the Biſhopricke of Durham, which ſhall be caried to Newcaſtle. Euery Marchant ſhall receiue for his marchandize of the Staple ready payment, whereof the one halfe ſhall be in Bullion of gold or ſiluer, which ſhall be coined at the Mint of Calice. Whoſoeuer windeth any deceitfull thing in woll, ſhall forfeit vj. li. for euery ſacke. If any Engliſh or Welſh man ſhall bring in, or carie forth any marchandizes in any Aliens ſhip, if he may haue fraught in a Denizens ſhip, he ſhall forfeit his Marchandize. EXP. 4. Ed. 4. 3. 12. Ed. 4. 5.

Fleece.

Corne.

2 A reſtraint of bringing Corne into this Realme, vntill it ſhall excede certaine prices. AB. Corne 9.

Silke.

3 Whoſoeuer ſhall bring any wrought Silke into this Realme to be ſold, concerning the myſterie of Silk-workers, ſhall forfeit the ſame, and x. pounds. EXP. 33. H. 6. 5. 22. Ed. 4. 3. 19. H. 7. 21.

Marchandize

4 Certaine marchandiſes not lawfull to be brought into this Realme ready wrought. AL. 5. Eliz. 7. 1. R. 3. 12.

Apparell.

5 What kinde of Apparell men & women of each vocation, and degree are allowed, and what prohibited to weare. EXP. 22. E. 4. 1.

Statutes made at Weſtminſter 21. die Ianuarij, *Anno* 4. *E.* 4. *& Anno Dom.* 1464.

Cloth.

¶ 1 The length, and breadth of brode Clothes, Streits, and Kerſies made to be ſold. No Lambes woll, flockes, or corke ſhall be put into Clothes to be ſold. Sealing of Clothes. The Treaſorer of England may let the Aulnage to farme. EXP. 5. E. 6. 6. No Clothes wrought beyond the Sea ſhall be brought into England. AB. Draperie 101. 17. Ed. 4. 5. 11. Ed. 3. 3.

Calice.

2 All wolls, fels, morlings, and ſhorlings to be tranſported, ſhall be ſhipped at thoſe Ports where the King hath a Beame, waights, and a Collector of cuſtomes, and ſhall be caried to Calice. And the Marchant ſhall bring a Certificat thereof from the Cuſtomer of Calice. EXP. 14. H. 6. 2. 15. H. 6. 8. 18 H. 6. 15.

Staple.

3 The wols, fels, morlings, and ſhorlings of Nothumberland, Cumberland, Weſtmerland, Richmondſhire, Northalertonſhire, and the Biſhopricke 12. Ed. 4. 5. 3. Ed. 4. 1.

ſhopʒicke of Durham onely, and of none other Counties, ſhall be caried to Newcaſtle, and of all other Shires, to the Staple of Calice, vpon paine that euery offendour that tranſpoʒteth them in other ſoʒt, ſhall foʒfeit double the value thereof. EXP.

17. Counties. 4 No perſon ſhall buie, oʒ take any pʒomiſe of bargaine, foʒ any Woolles in the Counties of Berks, Oxfoʒd, Glouceſt. Shʒop, Herefoʒd, Woʒceſt. Wilt. Somerſ. Doʒſet, Hamſh. Eſſex, Camb. Noʒff. Suff. Kent, Surrey, and Suſſex, oʒ of any of them, befoʒe the ſame be ſhoʒne, and vntill Bartholmew day following, but they which ſhall make Cloth oʒ Yarne of them, vpon paine of foʒfeiture of the double value thereof. EXP. Wools.
4.H.7.11. 22.H.8.11. 37.H.8.15.

27.H.6.1. 28.H.6.1. 5 No marchandize of the growth oʒ woʒkmanſhip of any of the Countries ſubiect to the Duke of Burgonie, ſhall be bʒought into this Realme, vntill he reuoke a Pʒoclamation made foʒ the baniſhment of Engliſh Clothes and yarne out of his Dominions. EXP. Duke of Burgundie.

6 A qualification of the Statute of 5. H. 4. 9. viz. Cuſtomers and Comptrollers ſhall take bonds of Marchants Aliens alone (and not with ſuerties) to imploy the money comming of their marchandize, vpon the commodities of this Realme. And after the bond perfoʒmed, they ſhall deliuer it. EXP. Suerties of Marchants.

7 No Shoemaker oʒ Cobler in London, oʒ within thʒee Miles compaſſe thereof, ſhall make any Shoes, oʒ Bootes, with any pike oʒ poleyn paſſing the length of ij. ynches: Noʒ ſhall ſell, noʒ pull vpon the legges oʒ foote of any perſon, any ſhoes, buſkins, oʒ bootes vpon the Sunday, the Natiuitie, oʒ Aſcention of our Lord, oʒ Corpus Chriſti day, vpon paine of foʒfeiture of xx. ſ. foʒ euery offence. But this ſhall not be pʒeiudiciall to the Deane of S. Martins the graund, noʒ to any perſon dwelling within Saint Martins. EXP. 14. H. 8. 9. Shoemaker.
5.Eliz.8. 1.Iac.22.

8 No Straunger ſhall buy any Engliſh Yoʒnes vnwʒought, gathered oʒ growing in London, oʒ within xxiij. Miles theroſ. The Wardens of the Yoʒners of London may ſearch all ware belonging to their Miſterie within London, and xxiij. Miles thereof, And in Sturbʒidge and Ely Faires. EXP. 1. Iacob. 25. Yoʒners.

4.H.5.3. 9 Pattenmakers may make Pattens of ſuch tymber of Aſpe, as is not fit, oʒ ſufficient, to be made into ſhaftes. EXP. 1. Iacob. 25. Pattens.

9.Ed.3.8. 13.R.2.20. 10 No Pilgrime, Marchant, oʒ other perſon, hoʒſe, oʒ beaſt, (except Soudiers, and Marchants with their marchandize) ſhall take their paſſage at any other Poʒt oʒ place in Kent, but onely at the Poʒt oʒ Towne of Douer. Neither ſhall any of them come from Calice to any place in Kent, but to Douer, without the Kings licence in wʒiting, vpon paine to foʒfeit fiue Marks. CB. Paſſage at Douer.

Statutes made at Weſtminſter 3. die Iunij,
An. 7. Ed. 4. & Anno Domini 1467.

20.H.6.10. 23.H.6.4. ¶ 1 The election of the Wardens of Woʒſted weauers within the Citie of Noʒwich, and the Countie of Noʒffolke. Their oath, authoʒitie, ſealing, ſearching, &c. AB. Worſteeds 1. Worſteed.

4.Ed.4.1. 2 The Inhabitants of the Hundʒeds of Liſton, Tauiſtocke, and Rowburgh in the Countie of Deuon, may mire, and put ſlockes in the Cloth made of the woll growing within the ſaid Hundʒeds, and may ſell the ſame Cloth without dammage. AL. 5. Ed. 6. 6. S. Draperie 57. 122. 127. Cloth.

Cloth fulled. 3 No perſon ſhall carie beyond the Sea any woollen Yarne, or Cloth not fulled. AB. Draperie 99. 3.H.7.11.

The kings graunt. 4 The Kings graunt, releaſe, confirmation, and reſtitution made to any perſon of lands, whereunto the ſaid perſon before had any title, ſhall be of ſuch force, & effect, as they were before the beginning of the Parliament. EXP.

Services reuiued. 5 Lands holden by fealtie, rent, or other ſeruices, of a common perſon not attainted, comming to the kings hands by attainder of Treaſon, being after graunted to an other by the king, ſhall be holden as if the ſaid attainder had not beene. Q whether generall, and in force, or not.

Stat. made at a Seſsion of Parliament holden at Weſtm. by *prorogation* 12. *die Maij*, *An.* 8. *E.* 4. *& Anno Dom.* 1468.

Clothes. ¶ 1 The length, breadth, and waight of broad ſet Clothes, and ſtreit ſet clothes made within the Counties of Norfolke, Suffolke, and Eſſex. And they ſhall be ſealed by the Aulnegers ſeales printed in waxe. EXP. 5. Ed. 6. Sealeprinted in waxe

Liueries. 2 The penaltie for giuing or taking of Liueries, or Badges, or for retayning: And at what time, by whom, and for what cauſes the ſame is iuſtifiable. AB. Liueries 5. 6. 1.H.4.7.

Iurors. 3 In actions triable in any Courts at Weſtminſter by Iurors of Middleſex, at the fourth day after the retourne, the Iurors ſhall be called. AB. Iurors 35.

Pardon. 4 A Pardon graunted to all thoſe which occupyed aboue one yeare the office of Shirife, Undershirife, or Shirifes Clerke the 1. 2. or 3. yeares of K. Ed. 4. And yet the Statutes of 14. Ed. 3. 7. 42. Ed. 3. and 23. H. 6. 8. for all other yeares ſhall continue. EXP.

Statutes made at Weſtminſter 6. die Octobris, *Anno* 12. *Ed.* 4. *& Anno Domini* 1472.

Sherife. ¶ 1 A Shirife being not lawfully diſcharged, may occupie his office during Michaelmas Terme wherein his ſhirifewicke endeth, notwithſtanding the Statute of 23. H. 6. 8. AB. Shirifes 4. 17.Ed.4.6.

Bowſtaues. 2 Foure Bowſtaues ſhall be brought into this Realme for euery Tunne of marchandize. AB. Bowes 1. 3.Eliz.14.

Subſidie. 3 Seuerall ordinances made for the true payment of a Subſidie of Tonnage and Pondage graunted to the K. during his life by a Stat. not printed made anno 4. E. 4. EXP. Cloth of gold, ſiluer, bodkyn, veluet, damaſke, &c. ſhall be ſurueyed, meaſured, & ſealed by the Cuſtomer. AB. Cuſtomes 12. 4.H.8.6.

The Princes Liuerie. 4 Edward Prince of Wales, Duke of Cornewall, and Earle of Cheſter, the Kings eldeſt ſonne may giue his honorable Liuerie and Signe at his pleaſure, notwithſtanding any ſtatute &c. EXP.

Wools tranſported. 5 All wools, felles, morlings, and shorlings growing within Cumberland, Northumberland, Weſtmerland, the Biſhopricke of Durham, Richmond, and Alderton shire, to be carried out of this Realme, ſhall be ſhipped at Newcaſtle vpon Tine onely, and from thence ſhall be carried to Calice or Middleborough. And all Wolls, &c. growing in all other parts of England and Wales, ſhall be carried to the Staple of Calice, vpon paine of Felonie. Sauing the kings Prerogatiue to graunt licence to the contrarie. EXP. 4.E.4.3. 3.Ed.4.1. 14.Ed.4.3.

Sewers. 6 The Lord Chauncelor ſhall haue authority for xb. yeares nert, to graunt ſeuerall Commiſſions of Sewers into all the parts of this Realme, according to the forme and effect limitted in the ſtatute of 6. H. 6. 5. 8.H.6.3. 18.H.6.10. 23.H.6.9. 4.H.7.1.

7 The

7 The penaltie of the offendor, if a Commiſſion be awarded according to the Stat. of 1.H.4.12. for pulling downe of weares, ſtankes, kidels, &c. and that the Commiſſioners award be not performed. AB. Weares 5,6. Weares.

23.Ed.3.6. 8 All Letters pattents graunted by the King to any perſons for ſearching, or ſurueying of wyne, ale, beare, or other vitaile, ſhall be void. And no perſon other then Maiors, Baylifes, or like Gouernors &c. ſhall exerciſe any ſuch office. AB. Vittailes 4. Surueying of vitailes.

9 No man ſhall take vpon him to be Eſcheator, vnleſſe he hath xx.li. land or rent in the ſame Countie. AL. 1. H.8.8. No Eſcheator ſhall ſet, or let his office to ferme, or make any Deputtie, but for whom he will anſwere. AB. Eſcheators 12. Eſcheator.

Statutes made at Weſtminſter at the Seſsion of Parliament begun by prorogation the 23. day of February, An. 14. Ed. 4. & Anno Dom. 1474.

¶ 1 Certaine Liberties graunted to thoſe, which holding their lands of the King, ſhall paſſe ouer the Sea, with the king in his ſeruice of warre. EXP. Liberties.

2 The ſame Law, and the ſame Protection that was graunted by the Stat. of 9. H. 5. 3. to thoſe which were then in Normandie, or would then paſſe with K. H. 5. into Fraunce, ſhall be obſerued, and auailabe for all ſuch as ſhall paſſe ouer the Sea with the king. EXP. Protection.

3 An alteration of part of the Stat. of 12. Ed. 4. 5. Touching the tranſporting of the wools growing in Cumberland &c. which hereafter ſhall be ſhipped at Newcaſtle, and from thence conueyed to Calice, or to Brywicke in Brabant, or to any other place at the Kings pleaſure. EXP. Wools tranſported.

4 A confirmation of all Statutes, not repealed, made againſt the breakers of Truce, Leagues, Safeconducts, and Licences: Sauing the Stat. of 2. H. 5. 6. League.

Statutes made at Weſtminſter 16. die Ianuarij, An. 17. Ed. 4. & Anno Domini 1477.

2.H.6.6. 7.Ed.6.6. 9.Ed.3.6. 17.R.2.1. 2.H.6.14. 4.H.4.15. 3.H.7.8. ¶ 1 No Iriſh Money ſhall run in payment in England or Wales. It ſhall be Felony to carie out of England or Wales any Coine of this Realme, or other Realmes, or any Plate, Bullion, or Jewels of gold or ſiluer, without the Kings licence (except Priſoners raunſomes, Souldiers money, &c.) No perſon ſhall melt any Money of gold or ſiluer ſufficient to run in payment. All things wrought of ſiluer to be ſold, ſhall be as fine as the ſtarling, and ſhall be marked with the Leopards head, and the workmans marke. EXP. All Marchants Aliens ſhall imploy the money receiued for their marchandizes vpon the commodities of this Realme. AB. Marchants 9. Money.

1.R.3.6. 2 The penaltie of the Steward &c. in a Court of Pipowders, for holding plea there, if the plaintife ſhall not be depoſed, that the contract or other fact was made in the time, and iuriſdiction of the ſame Fayre. AB. Faires 3. Pipowders.

3 Whoſoeuer ſhall occupie a houſe or place of cloſhe, kayles, halfe bowle, handin, handout, or queckborde, ſhall be three yeares impriſoned, and forfeit xx.li. And he that will vſe any of the ſaid games, ſhall be y. yeares impriſoned, and forfait x.li. EXP. 33.H.8.9. Vnlawfull games.

4 The preparation of earth for the making of Tyles, and the length, breadth, and thicknes of them. AB. Tyles 1. &c. Tyles.

5 An alteration of ſome part of the Stat. of 4.Ed.4.1. Touching the ſealing of Clothes.

ling of Clothes with ware, and concerning the letting to ferme the ſubſidie and aulnage of Clothes. HP. 5. Ed. 6. 6.

Shirife. 6 The old Shirife may execute his office during the reſidue of Michaelmas, and Hillarie Terme, after his yeare ended, if he haue not before his writ of diſcharge. AB. Sherifes 4. 23. H. 6. 8. 12. Ed. 4. 1.

Repeal. 7 A repeal of a Parliament holden An. 9. Ed. 4. & An. 49. H. 6, and of all the Acts and Statutes made therein, and of all Exemplifications of the ſame.

Statutes made at Weſtminſter 20. die Ianuarij, *An.* 22. *Ed.* 4. *& Anno Domini* 1482.

Apparell. ¶ 1 A Repeal of all former Statutes touching Apparell. What kind of Apparell Temporall men of each degree are allowable, and what prohibited to weare. HP. 1. H. 8. 14.

Fiſh. 2 The contents of every Butt, Barrell, halfe Barrell, and other veſſels of Salmons, Herrings, and Eeles. And how Fiſh ſhall be packed. AB. Fiſh 8. 9. 10. 11. 11. H. 7. 23.

Silke. 3 No laces ribands, corſes, girdles, calſilke, or Colein ſilke twined or wrought, ſhall be brought into England to be ſold, vpon paine of the forfeiture thereof, or the value. HP.

Bowes. 4 Whoſoeuer ſelleth a longe Bow of Ewe, for or aboue iij. s. iiij. d, ſhall forfeit xx. s. HP. 8. Eliz. 10. 3. H. 7. 13.

Fulling of Caps. 5 No perſon ſhall full or thicke any Hats, Bonets, or Cappes double or ſingle, at any Fulling Mill, or ſet to ſale any ſo fulled or thicked, vpon paine to forfeit xl. s. HP. 7. Ed. 6. 8. 1. Iacob. 25.

Swannes. 6 No perſon ſhall haue a marke, or game of Swannes, vnleſſe he hath fiue Markes land. AB. Swannes 1.

Woods. 7 Woodes felled in any forreſt, or purlieu, may be incloſed, and kept ſeuerall vy. yeares. AP. Woods 25.

Berwicke. 8 Marchandizes carried into, or brought out of Scotland, ſhall be firſt brought to Berwicke. AB. Berwicke 1. The Marchants & free men of Berwicke ſhall haue to ferme the waters royall & fiſhing places within the ſaid Towne & ſeignioꝛie of the ſame, paying as much as any other will. HR. 1. Iacob. 28.

Statutes

Statutes made at Weſtminſter 23. die Ianuarij, *Anno* 1. *Rich.* 3. & *Anno Domini* 1483.

19.H.7.15. 1 All eſtates made by Ceſtuy que vſe, and all recoueries and executions had againſt him, of lands, rents, ſeruices, or other hereditaments ſhalbe good againſt him, and his heires, & his feoffees in truſt, their heires and aſſignes, ſauing euery eſtate in taile. AL. 27.H.8.10. — Ceſtuy que vſe.

2 The ſubiects of this realme ſhall not be charged with a beneuolence or ſuch like charges or impoſitions. EXP. — Beneuolence.

3 Euery Iuſtice of peace hath authoritie to let a priſoner to mainpriſe. AL. 3.H.7.3. Iuſtices of peace ſhal haue authoritie to enquire of eſcapes of felons. AB. I. of peace 19. No officer ſhall ſeiſe the goods of a priſoner vntill hee bee attainted. AP. Shiriſes 24. — Felons.

4 Of what credit and eſtate thoſe Iurors muſt be, which ſhall be impanelled in the Shiriſes Turne. AB. Iurors 14. — Iurors.

5 Thoſe lands whereof K. Richard was infeoffed to the vſe of others, before he was king, ſhall veſt in ſuch perſons, as if he had not been named in the feoffements. EXP. — K. Rich. feoffees in truſt.

6 The Statute of 17. Ed. 4. 2. made perpetuall, touching a ſuite commenced in a Court of Pipowders. AB. Faires 3. — Pipowders.

7 After the ingrolling of a Fine leuied before the Iuſt. of the cõmon place, & proclamations made, who ſhal be bound thereby. AB. Fines 3.4.5.6.7.9.10. — Fines.

8 Of what length and breadth, whole Clothes, halfe clothes, ſtreites, and kerſies ſhall be made. AB. Draperie 85. — Clothes. Iuineger.

9 Italian Merchants not made Denizens, ſhall ſell their merchandizes in groſſe, and not by retaile, and that in the place where they dwell: and they ſhall ſell the ſame within 8. Moneths after their arriuall, and ſhall carry away ſo much as they cannot ſell within that time. They ſhall not ſell any Merchandizes in the Realme, which they buy in the Realme. They ſhall make no Cloth, nor put any woll to make Cloth, vpon paine of forfeiture of all the ſaid merchandizes, cloth, &c. to the King, & him that will ſeiſe, or ſue for the ſame by A. of debt, &c. No ſtranger ſhall ſoiourne a ſtranger not being of the ſame Nation. They ſhall not occupy any handycraft within this Realme. They ſhall not take no Apprentices but the kings ſubiects. AB. Aliens 1. 9. 10. Aliens may bring into this Realme, ſell, or retaile Bookes. EXP. 25.H.8.15. — Merchants. Aliens.
1.H.7.10. 21.H.8.16.

1.H.7.9. 10 The Statute of 22. Ed. 4. 3. prohibiting wrought laces, &c. of ſilke, to be brought into this Realme, continued for 7. yeares. EXP. — Silke.

6.H.8.12. 11 Men Bowſtaues ſhall be brought into this Realme, for euery But of Malmeſie or Vite. AB. Bowes 2. — Bowſtaues.

3.Ed.4.4. 12 Certaine Merchandizes which it is not lawfull to bring ready wrought into this Realme to be ſold. AL. 5. El. 7. — Merchãdizes

27.Ed.3.8. 18.H.6.17. 28.H.8.14. 13 The contents of euery Tunne, Pipe, But, Tertian, Hogſhead, Barrell, and Rundlet of wine or oyle. And they ſhall not be ſold vntill they be gauged. AB. Wines 13. — Veſſels. Gauging.

14 Accomptants for Diſmes are not chargeable to anſwere other mens ſuits in the Exchequer. AB. Accomptants &c. 49. — Accomptants

15 All L. patents, grants, Acts of Parliament, eſtates, &c. of any manors, lands, &c. made to Elizabeth late wife of Sir Iohn Gray, and now calling her ſelfe Queene of England, ſhall be void. HR. — Elizabeth Gray.

Statutes

Statutes made at Weſtminſter 7. die Nouembris, *Anno* 1. *Hen*. 7. *& Anno Domini* 1485.

Pernor of profits. 1 A Formedon in diſcender or remainder is maintenable againſt the Pernor of the profits of thoſe lands, whereof any perſon or perſons be enfeoffed to his vſe, who ſhall haue voucher, aide prayer, and other aduantages, as if he were tenant in deed. And his heire within age ſhall haue his age: and all recoueries had againſt him ſhalbe as good as if he were terre-tenant. AL. 27. H. 8. 10. 1.R.3.10. 4.H.7.4. 11.H.6.3.

Aliens. 2 Aliens made denizens ſhal pay ſuch cuſtomes and ſubſidies as they did before. AB. Cuſtomes 13. 11.H.7.14. 22.H.8.8.

Calice. 3 No protection ſhall be allowed in any Court in Calice, or the Marches thereof. EXP.

Incontinency 4 Prieſts and Clerks ſhalbe puniſhed for incontinency, by their Ordinaries. AB. Incontinencie 1.

Tanner. 5 No Cordwainer ſhalbe a Tanner. No Tanner ſhall currie leather. No Currier ſhall currie any hide, but which is ſufficiently tanned. No tanner ſhall put leather to ſale, but redde, as it commeth from the tanne. No Tanner ſhall tanne ſhæpeſkinnes. EXP. 5. El. 8. 2.H.6.7. 19.H.7.19.

Pardon. 6 A Pardon or Protection for them who aſſiſted the King in his warres againſt Rich. late Duke of Glouceſter. EXP.

Hunting. 7 The penaltie for hunting in the night, or with diſguiſing, and being examined to conceal the offence, or any offendor. AB. Iuſtice of peace 16. Hunting 4. 3 Ed.1.20.

Wines. 8 No Gaſcoygne or Guien wines ſhal be brought into the Kings dominions but by Engliſh, Welch, or Iriſh marriners, & Engliſh, Welſh, or Iriſh mens ſhips. EXP.

Silke. 9 A reuiuer for 11. yeares of the ſtatute of 22. Ed. 4. 3. reſtraining the bringing into this Realme of wrought laces, girdles, &c. EXP. 33.H.6.5. 3.Ed.4.3.

Penalties. 10 The penalties mentioned in the Statute of 1. R. 3. 9. touching Italian Merchants reuoked for all others, and onely giuen to the King.

Statutes made at Weſtminſter, 9. die Nouemb. *Anno* 3. *H*. 7. *& Anno Domini* 1487.

Starre Chamber. ¶ 1 The authoritie of the court of Starre Chamber. AB. Courts 4. Iuſtices of peace may charge an Enqueſt to enquire of the concealment of another enqueſt. AB. Iurors 9. The Coroners dutie after a murder committed. AB. Coroners 12. 13. 15. A Iuſtice of peace ſhal certifie a Recognizance by him taken for the keeping of the peace, at the next Seſſions. AB. Iuſtice of peace 106. Indictment and appeale of murder. AB. Murder 1. &c. 21.H.8.20.

Women. 2 It ſhalbe felonie to take and carrie away a woman againſt her wil, that hath lands or goods, or is heire apparant &c. AB. Women 12. 39.Eliz.9.

Priſoners. 2 Two Iuſtices of peace in euery ſhire, citie, and towne, whereof one to be of the Quorum, may let any priſoners to baile, which be mainpernable by the law, vntill the nert generall Seſſions of the peace, or vntill the nert generall Gaole deliuerie. AL. 1. & 2. P. & M. 13. The Sherife ſhall certifie ȳ names of all the priſoners in his cuſtodie at the nert generall Gaole deliuerie. AB. Priſons 3.

Fraudulent dedes. 4 All Dedes of gift of goodes made of truſt to the vſe of them which made 2.R.2.3. 13.El.5.

made them to defraud Creditors of their duties, ſhall be void. AB. Fraudulent deedes 1.

5 All bargaines, couenants, promiſes, and ſureties, fearmed by the name of New Cheuiſance, or Drie Exchange, whereby any certaine ſumme of money ſhall be loſt, ſhall be void. EP. 11.H.7.8. Dry exchãge.

6 All vnlawfull Cheuances, and Vſury ſhall be extirpat. All Brokers of ſuch bargaines ſhall be ſet on the Pillorie, put to open ſhame, bee halfe a yeare impriſoned, and pay rr.li. EP. 37. H.8.9. Vſury.

1.H.8.5. 2.Ed.6.22. 7 There ſhall be a certificat made of goods brought into one Port, & cuſtomed, and then remoued into an other. And the certificat ſhalbe entred into the Cuſtomers booke. No man ſhall enter goods in the name of an other, whereby the King ſhall loſe his cuſtome. A common Officer in any Citie, borough, &c. ſhalbe no Cuſtomer, Controller, or Searcher there. AB. Cuſtoms 15.16.19.22. Cuſtome.

4.H.4.15. 27.Ed.4.1. 8 Merchants Aliens, and of Ireland, Gernſey, and Garnſey, and victuallers, ſhall imploy the money by them receiued, vpon the marchandizes of this Realme. AB. Merchants 9.10. Merchants.

19.H.7.20. 9 Citizens and Freemen of London may carrie their wares, victuall, and merchandize to any Fayres or Markets that they will. AB. Faires 11. Londoners.

7.Ed.4.3. 27.H.8.13. 10 Coſts and dammages awarded to the plaintife in ſome caſes, where the defendant ſueth a writ of Erro before execution. AB. Dammages 5. Erro.

22.Ed.4.4. 11 No Cloth ſhall be tranſported, before it be barbed, rowed, and ſhorne. AB. Draperie 98. Cloth.

12 The Kings Officers, or Tenants, ſhall not be reteined by liueries, ſignes, tokens, oathes, or promiſes with others. AB. Liueries 7.8. Liueries.

13 Whoſoeuer ſhall ſell a long Bowe aboue the price of iij.s. iiij.d. ſhall forfeit xl. ſhillings. EP. 8. Eliz. 10. Bowes.

14 Conſpiring to deſtroying the King, or any Lord, or any of the Kings Councell, or the Steward, Treaſorer, or Controller of the Kings houſe, ſhall be Felonie. AB. Conſpiracie 4. Conſpiracie.

Statutes made at Weſtminſter 13. die Ianuarij,
Anno 4. *Hen.* 7. *&* *Anno Domini* 1488.

6.H.6.5. 12.Ed.4.6. ¶ 1 The Chancellor of England may grant Commiſſions of Sewers into all the parts of England, and into the Marches of Calice, Guines, and Hammes, during xrb. yeares next. EP. Sewers.

2 To what intent any parter or finer of Gold or Silner ſhall allaie, or melt the ſame, and to whom he ſhall ſell it, and to what purpoſe. And he ſhall ſet his marke vpon it. AB. Gold &c. 1.2. Gold and Silner.

3 Butchers ſhall kill no beaſts within any walled Towne, nor in the towne of Cambridge. AB. Butchers 3. Butchers.

3.H.8.4. 4 Protections graunted to them which then were, or after ſhould bee in the Kings ſeruice in Britaine, And certaine immunities graunted to them, and certaine the feoffees, executors, and heires of them which ſhall die in that ſeruice. EP. Protections.

5 A Repeal of all L. Patents graunted by the King, or any of his progenitors, to any Spirituall perſons, to be diſcharged of the payment or collection of Diſmes. EP. L. Patents.

6 A Repeal of all L. Patents graunted of any office within the forreſt of Englewood in the County of Cumberland, for that the Deare were deſtroyed, (ſauing to the Lord Dacres, and Earle of Northumberland,) EP. Englewood.

7 Offices

Officers. 7 Offices and fees granted to yeomen of the Crowne, and groomes of the Kings chamber, ſhall be no longer of force, then when they giue their attendance. EXP.

Prices of clothes. 8 Whoſoeuer ſhall ſell by retaile a broad yarde of the fineſt Scarlet grained, or other grained cloth of the fineſt making aboue xvj. s. or a broad yarde of any other coloured cloth aboue xj. s. and euery other cloth of meaner goodneſſe according to the rate, ſhall forfeit xl. s. for euery yarde ſo ſold. CB.

Hats and caps. 9 No Hatter or Capper ſhall ſell any hatte aboue the the price of twentie pence the beſt, nor any cappe aboue the price of two ſhillings eight pence the beſt, vpon paine to forfeit fortie ſhillings for euery hatte or cap ſold aboue. EXP. 3.H.8.15.

Engliſh ſhips 10 No Gaſcoyne or Guian wines, or Thoulouſe woad ſhalbe brought into this Realme, but by Engliſh ſhips, and Engliſh maſter, and marriners. AL. 5. El. 5. No perſon ſhall fraight in a ſtrangers ſhip any merchãdize, to be brought into this Realme, or carried forth, if hee may haue ſufficient fraight in ẏ ſame Port in a Denizens ſhip. EXP. 1. El. 13. 5.R.2.3. 5. & 6.Ed. 6.18.

Wools. 11 No perſon ſhall buy, or take promiſe of bargaine of any woll that ſhall growe in Hertfordſhire, Barkeſhire &c. before the Aſſumption of our Lady, next after the ſhearing thereof, but ſuch as ſhall make yarne or cloth thereof: Nor any Merchant ſtranger before the Purification of our Lady next after the ſhearing thereof, vpon paine of forfeiture of the double value thereof. EXP. 18.counties 4.Ed.4.4. 22.H.8.1. 37.H.8.15.

I. of peace. 12 A Proclamation ſhall bee made in all the Counties of this Realme, at euery of the foure Quarter Seſſions, That all Iuſtices of peace ſhall execute their Commiſſion, redreſſe iniuries, and maintaine the Lawes. CB.

Clergie. 13 Clergie ſhall be allowed but once. A conuict perſon ſhall be marked with the letters M. or T. for murder or theft. AB. Clergie 16. And he that is within Orders ſhall at the ſecond time ſhewe his Orders, or his Ordinaries Certificate, or els he ſhall loſe the benefit of his Clergie. EXP. 28. H. 8. 1.

Earldom of March. 14 All writings whereof ſealing is requiſite to bee made by the King of any parcell of the Earldome of March, ſhall bee vnder the great ſeale. AB. Crowne 12.

Thamiſe. 15 The Maior of London and his ſucceſſors ſhall haue the like conſeruation and authoritie in all the Iſſues, Breaches, and ground ouerflowen, as farre as the water ebbeth and floweth, growne out of the riuer of Thamiſe, as touching the puniſhment for vſing of vnlawfull nets and engines, as he hath within the ſaid riuer. ER.

Farmes. 16 The penaltie for taking of more farmes then one in the Iſle of Wight. AB. Farmes 1. 25.H.8.13.

Ceſtuy que vſe his heire. 17 The heire of Ceſtuy que vſe (holding his lands by Knights ſeruice, & declaring no will) beeing within age, ſhalbe in warde, and being of full age ſhall pay reliefe: And ſhall haue an action of waſt againſt his Gardein committing waſt. AL. 27. H. 8. 10. & 34. H. 8. 5. 32.H.3.6.

Forging of money. 18 The forging of the coyne of other Realmes, allowed to be currant within this Realme, ſhall bee high Treaſon. EXP. 1. M. 1. & 1. Ed. 6. 12. 1.M.6.

Houſes of huſoandrie. 19 If the owner of any houſe, that within three yeares before hath been, now is, or hereafter ſhalbe letten to farme with xx. acres of land at the leaſt, lying in Tillage, ſhall not maintaine houſes vpon the ſame ground and land, conue- 7.H.8.1. 27.H.8.22. 5.Ed.6.5. 2.& 3.P. & M. 2.

conuenient for the maintenance of Tillage. The chiefe Lord of whom the ſame lands be holden, may receiue halfe the value of the profits of ſuch lands, vntill the houſes bee againe repayred, and diſtraine for the ſame. EXP. 39. Eliz. 1.

20 Actions popular proſecuted by colluſion, ſhall be no barre to thoſe which be purſued with good faith. AB. Actions 1. — Actions popular.

27.El.21. 21 No Talbotes, nets, or engines ſhal be vſed for the taking or deſtroying of any frie or breed of Fiſh in the hauen of Orford in the County of Suffolke, vpon paine of forfeiture of x. l. for euery offence. EXP. — Orford hauen

22 If any perſon bring, or put to ſale any Gold of Uenice, Florence, or Jeane, for a pound weight, which doth not containe xij. Ounces, or that the Gold packed be not in greatneſſe of threed and colour wrought according to the outward ſhew thereof, he ſhall forfeit the ſame, or the value thereof. EXP. — Gold threed.

23 The ſtatute prouided 17. Ed. 4. 1. againſt the tranſporting of Money, plate, or Jewels, reuiued for xx. yeares. EXP. No perſon ſhall pay Gold to an Alien. AB. Money 2. — Money.

1.R.3.7. 31.El.2. 24 How often a Fine leuied before the Juſtices of the Common Place ſhall be read, and proclaimed, and who then ſhall be bound thereby. AB. Fines 3.4.5.6.7.9.10. — Fines.

Statutes made at Weſtm. Anno 7. Hen. 7.

& Anno Domini 1492.

3.H.8.5. ¶ 1 If any Captaine which is retained to ſerue the King in his intended warres on the ſea, or beyond the Sea, ſhal not haue the whole number of men, for the which he is retained, or ſhall not giue them their full wages which he receiueth of the King, without ſhorting of them (except for their Apparell) he ſhall forfeit to the King all his goods and cattels, and be impriſoned. It ſhall be Felonie (without benefit of Clergie) for a Souldier hauing taken preſt to ſerue the King in his warres, to depart without licence. EXP. — Captaines. Souldiers.

2 Euery perſon that ſhall be in the Kings wages beyond the Sea, or on the Sea, ſhall haue a Protection. And no diſcent ſhall preiudice them. And by his writing he may make his Attourney to enter into lands diſcended vnto him, to atturne, &c. EXP. — Protection.

3.H.8.4. 3 They which ſhall goe with the King to warre in France, may without licence alien their lands to the vſe of their Wils. And they ſhall haue their owne Liueries, and authority to diſpoſe the wardſhip of their Heires. A Seriant of Armes abſenting himſelfe, ſhall loſe his fee. EXP. — Immunities to Souldiers. Seriant at Armes.

11.H.7.4. 12.H.7.5. 4 Weights & meaſures ſhalbe made of braſſe, according to the kings Standerd of his Exchequer, & ſent to euery chiefe Citie, borough, & Shire towne, that all Weights and Meaſures of the ſame Shire may be made by them. — weights.

5 Riens deins le gard ſhal be no challenge vpon any iſſue to be tried in London. AB. Challenge 4. — Challenge.

6 Letters Patents made to ſeuerall Spirituall perſons, to be diſcharged of Diſmes and Quindiſmes, ſhall extend no further then they did in the time of king Ed. 4. EXP. — Diſmes. Quindiſmes.

7 All Scots not made Denizens, ſhall depart this Realme of England and Wales, within fortie dayes after Proclamation, vpon pain of impriſonment, and forfeiture of all their goods and cattels. EXP. 4. Iac. 1. — Scots.

8 Euery But of Malmeſie ſhall containe Cxxvj. gallons, and euery Merchant ſtranger ſhall pay for cuſtome xvij. s. a But, beſides the old cuſtomes, & — Malmeſie.

no

no But ſhall be ſold for aboue iiij li. which new impoſition ſhall be, vntill the Venetians abate their new impoſition of iiij. Ducats at Candie. EXP.

Statutes made at Weſtm. 14. die Octobris,

Anno 11. *Hen.* 7. *&* *Anno Domini* 1495.

Kings ſeruice ¶ 1 No perſon that ſhall attend vpon the Kings perſon, and doe him true ſeruice in warre, within the Realme, or without, ſhall be therefore attainted of Treaſon, or other offence, by Parliament, or in any other manner. EXP.

Vagabonds. 2 Vagabonds, idle, and ſuſpected perſons ſhall be ſet in the ſtockes three dayes and three nights, and haue none other ſuſtenance but bread and water, and then ſhall be put out of the towne: And if any be taken in the ſame town a ſecond time, he ſhal be put into the ſtockes vj. dayes, with like diet. And whoſoeuer giueth ſuch idle perſon more, ſhall forfeit xij.d. Euery begger not able to worke, ſhall reſort to the Hundred where he laſt dwelled, is beſt knowne, or was borne, & there remaine vpon the paine aforeſaid. No Artificer, labourer, or ſeruant ſhall play at any vnlawfull game, but in Chriſtmas. EXP. 33. H.8.9. Two Iuſtices of peace may reiect common ſelling of Ale. AL. 5. Ed.6 25. 19.H.7.11. 13.El.4.

Beggers.

Alehouſes.

Iuſtices authoritie. 3 The Iuſtices of Aſſiſe in their Seſſions, and the Iuſtices of Peace in euery Countie, vpon Information for the King, ſhall haue authority to heare and determine all offences and contempts, (ſauing Treaſon, Murder, or Felonie) committed by any perſon, againſt the effect of any Statute made, and not repealed. EXP. 1. H.8. 6.

weights and meaſure. 4 The names of the Cities and Townes limitted for the keeping of thoſe Weights and Meaſures, with the which, or others marked by them, all men ſhall buie and ſell. AB. Weights &c. 7.8.9.10. 7.H.7.4. 12.H.7.5.

Southampton hauen. 5 Euery man may pull downe the weares and engines in the Hauen of Southampton betweene Calſhord and Redbridge: And whoſoeuer leueth any other there, ſhall forfeit C. li. HR. 14.H.8.13.

Cuſtomes. 6 Where the cuſtome ſhall be paied, when woollen Clothes be packed in one Port, and ſhipped in an other. AB. Cuſtomes 16.

Riot. 7 The principall Maſters or leaders of any perſons to commit a Riot, or vnlawfull aſſembly, ſhall be committed to priſon ſo long time, & pay ſuch fine, and be bound to the peace with ſureties in ſuch ſumme of money, as ſhal ſeeme meete to the Iuſtices of peace, before whom the complaint is made, or the Indictment found. And if the Riot be with xl. perſons, or thought haynous, then the Iuſtices of peace ſhall certifie the ſame, and ſend vp the Record of Conuiction to the King and the Councell. EXP. 1.M.12.

Vſurie. 8 He that lendeth his Money vpon Vſurie, or maketh any bargaine for lands or goods grounded vpon vſurie, ſhall forfeit the one halfe thereof. EXP. 37.H.8.9. A Repeal of the Statute of 3.H.7. touching Vſurie.

Tindale. 9 North and South Tindale, and all the lands within the ſame ſhall be gildable, and parcell of the Countie of Northumberland: and no Franchiſe ſhall be there, but all the kings Writs & officers ſhall be obeyed. And no man ſhall demiſe any lands for yeares, life, or at will there, but the leſſee ſhall before find two ſureties, hauing at the leaſt xl. s. of freehold within the Countie of Northumberland to be bound by Recognizance in xx.l. to the king, to make anſwere within eight dayes warning to all Murders, Treaſons, Felonies, &c. And the leſſor ſhall forfeit xl.&. for euery acre otherwiſe let, to the King and Inf. And the leaſe ſhall be void. HR. 14.El.13. 2.H.5.5.

Subſidie. 10 A remedie to leuie a Subſidie or Beneuolence before graunted to the King. EXP.

11 The

12.H.7.1. 5.Eliz.4. 11 The citizens of Norwich may take to apprentice the ſonne or daughter of any perſon, notwithſtanding the Statute of 7.H.4.17. No man ſhal be a Worſted ſhearer in Norwich, vnleſſe he hath borne by. yeares an apprentice, or bee allowed by the Mayor and Maſters of the Companie. The Worſted ſhearers in Norwich ſhall make no Ordinance amongſt themſelues, but ſuch as the Mayor and Aldermen ſhall thinke neceſſarie. No inhabitant in Norwich, being not a ſheareman, ſhall keepe a ſheareman in his houſe. HP. 19.H.7.17. — Prentices in Norwich. — Shearmen.

12 A meane to helpe and ſpeede poore perſons in their ſuites. AB. Poore people 1. — Poore.

22.H.8.7. 1.Ed.6.5. 5.Eliz.19. 13 No perſon ſhall carry any horſe out of this land without the K. licence, or mare vnder the age of three yeares, and aboue the value of vj.s. viij.d. vnleſſe it be to his own vſe, not purpoſing then to ſell it. Euery perſon ſhal giue for the cuſtome of a mare to be tranſported vj.s. viij.d. and he that will giue vj.s. for her, ſhall haue her. CB. — Tranſporting horſes.

1.H.7.2. 22.H.8.8. 14 All aliens made denizens ſhall pay ſuch Cuſtomes for their marchandizes, as they did before. AB. Cuſtomes 13. — Cuſtomes.

15 The manner of entring of Plaints in County courts, of examining of Sherifes, by the Juſtices of Peace, of execution of precepts by baylifes, of viewing of the Sherifes eſtreits, and gathering of them. AB. Sherifes 16.17.18.19.20. — Sherifes Counties.

16 He that hath a freehold in Calice, out of the which there is iſſuing a yerely chiefe rent toward the maintenance of the watch there, if he pay not his ſaid chiefe rent within a yere and a day after it is due, he ſhal forfeit the ſaid freehold to the king and his heires. EXP. — Calice.

23.Eliz.10. 1.Iacob.27 31.H.8.12. 17 The penaltie for taking of Pheſants or Partridges with ſnares. AB. Pheſants 1. And for taking of the egges of Hawkes or Swannes, for taking, ſearing, or killing of hawkes, bearing of Engliſh hawkes, and of bringers of hawkes from forraine countries without a certificate. AB. Hawkes 3.4.5.6. — Fefants. — Hawkes.

19.H.7.1. 18 He that wil not go in perſon with the king in his warres, where he is in perſon, ſhal forfeit his offices, fees, and annuities giuen him by the king, vnleſſe he be ſicke, or hath the K. licence. EXP. — K. ſeruice.

5.Ed.6.23 19 What ſtuffe Vpholſters ſhal put in featherbeds, bolſters, and pillows. AB. Vpholſters 1. &c. — Vpholſters.

20 What alienations made by the wife of the lands of her deceaſed huſband ſhalbe void. AB. Women 1. &c. — women.

37.H.8.5. 23.H.8.3. 21 Of what ability euery man ought to be, which ſhalbe impanelled in any Attaint or Enqueſt in London. And what euery ſuch man making default of appearance ſhal forfeit in iſſues. Attaint may be ſued by bil in the Huſtings in London. AB. Attaint 13. &c. Iurors 16.27. — Attaint.

23.H.6.13. 22 The ſeuerall yeres wages of ſeruants in huſbandry, viz. of the bailife of huſbandry, chiefe hind, carter, or ſhepheard, common ſeruant, woman ſeruant, and child within xiij. yeares of age. And the ſeuerall wages of artificers, and day labourers with meat and drinke, or without, and ſeueral times limited for their worke, meales, and ſleepe. HP. 12.H.7.3. & 5.El.4. — Seruants Labourers.

23 What is requiſite & neceſſary in ſelling and putting to ſale of Salmon, Herrings, and Eeles. The contents of their ſeuerall veſſels, the packing of them, and how much the Gaugeor ſhall take therefore. AB. 8.9.10.11.12. Corporations 14. — Fiſh.

23.H.8.3. 24 An Attaint ſhalbe maintenable againſt the party, and petit Iurie. The Proces therein, the abilitie of the Iurors, the pleas of the defendant, and petit — Attaint.

Panels. Jurie, and their puniſhment being attainted. Panels returned by the Sherife to inquire for the King, may be reformed by the Juſtices. EXP. 3.H.8.12.

Periurie. 25 Juſtices of peace ſhal examine, and reforme the Panels returned before them. Periurie committed by vnlawful maintenance, embracing, or corruptiõ of officers, or in the Chauncery, or before the K. Councell, ſhall be puniſhed by the diſcretion of the Lord Chancellor, Treaſurer, both the chiefe Juſtices, and the Clerke of the Rolles. And if the complainant proue not or purſue not his bill, he ſhall yeld to the party wronged his coſts and damages. EXP. 3.H.8.12. 5.Eliz.9.

Jurors in Turnes. 26 It ſhall be lawfull to euery Sherife of the Counties of Southampton, Surrey, & Suſſex to impanell & ſummon xxiij. lawfull men of ſuch inhabitãts within the precinct of euery of his or their Turnes, as owe ſuite to the ſame Turnes, whereof euery one hath lands of freehold to the yerely value of x.s. or copihold lands to the yerely value of xij.s. iij.d. aboue all charges within any of the ſaid Counties, or men of leſſe liuelyhood, if there be not ſo many there, notwithſtanding the ſtatute of 1.R.3.4. EXP. 19.H.7.16.

Fuſtians. 27 A remedie to auoyde deceitfull ſleights vſed vpon Fuſtians. AB. Fuſtians 1. 39.Eliz.13.

Statutes made at Weſtminſter 16. die Ianuarij, An. 12.
H.7. & Anno Dom.1496.

Apprentices. ¶ 1 The makers of Worſted, Say, and Stamin in Norfolke, may take any to be Apprentice. AB. Labourers 27. Q.

Periurie. 2 The Statutes made 11.H.7. 24. & 25. Touching the puniſhment of Periurie, continued vntill the nert Parliament. EXP.

Labourers. 3 A Repeale of ſo much of the Statute of 11.H.7.22. as toucheth only the wages of artificers, labourers, and ſeruants in huſbandry.

Forfeiture. 4 No Forfeiture giuen by the Statute of 1.R.5.8. Touching the length, and breadth of clothes, ſhall bee taken before the beginning of the nert Parliament.

Weights. 5 The weight of an Engliſh penny, of an ounce, a pound, a gallon, and a buſhell. AB. Weights 2. The weights and meaſures ſent to ſeuerall cities and townes by force of the ſtatute of 11.H.7.4. being defectiue, ſhall be broken, and new ſhalbe ſent to the ſame. AB. Weights 7.8.9.10. 7.H.7.4.

Marchants. 6 Euery Engliſhman ſhall haue free recourſe to Flaunders, Holland, Zeland, and Brabant, to the Marts there with their marchandizes, to buy & ſell, without any exaction, or impoſition to be taken by any Engliſh perſon or fraternitie, ſauing only x. markes. CE.

Clergie. 7 No lay perſon that doth purpoſely murder his Lord, Maſter, or Soueraigne, ſhall haue his Clergie. AB. Clergie 13. 23.H.8.1. 32.H.8.3.

Statutes made at Weſtminſter 26. die Ianuarij,
Anno 19. H. 6. & An. Dom. 1503.

Seruice. ¶ 1 Whoſoeuer doth not in his owne perſon daily attend vpon the king, being in his owne perſon in wars, vnleſſe he be ſicke, ſhall forfeit ſuch lands &c. as he hath by the Letters Patents of the King that now is. EXP. 11.H.7.18.

Bow-ſtaues. 2 No cuſtome ſhall be paied for any ſufficient Bow-ſtaues of the length of fiue foote and a halfe, brought into this Realme, before the nert Parliament. EXP.

Attaint. 3 The ſtatute of 11.H.7.24. Touching an Attaint to be granted in certain caſes, continued vntill the nert Parliament. EXP. 23.H.8.3.

4 Who-

3.H.8.13. 4 Whoſoeuer is indicted and conuicted for ſhooting in a Croſſbow, without the K. licence, vnder his priuie ſeale, or ſignet (except it be for the defence of his houſe, be a Lord, or haue 200. marke land) ſhall forfeit for euery day xl s. to the King, and the croſſbow to him that will ſeize it. EXP. 6.H.8.13. — Croſſbow

5 The coynes of gold and ſiluer now currant within this Realme, ſhall ſo continue for the ſumme that they were coyned for, & the refuſors thereof ſhalbe impriſoned. No money, plate, or bullion of gold or ſiluer ſhalbe caried into Ireland, nor any Iriſh money ſhalbe brought into England. AB. Money 4.5. — Money. Ireland.

4.H.8.7. 25.H.8.9. 6 In what ſhires Pewter and Braſſe ſhall be ſold, of what goodneſſe they ought to be. The wares made therof, and the marking, weighing, and ſerching of them. AB. Pewter 1. &c. — Pewter and Braſſe.

15.H.6.6. 7 No ordinances ſhalbe made by fellowſhips of Crafts, but by the conſent of the Chancellor, Treaſurer, or Iuſtices. No order ſhal be made to reſtraine ſuite in the K. Court. AB. Corporations 1.2. — Orders by fellowſhips.

8 No Scauage or ſhewage ſhalbe paid for marchandize cuſtomed. AB. Marchants 2. — Scauage.

9 Proces in Actions vpon the caſe ſued in the K. bench, and common place. AB. Proces 2. — Action vpon the caſe.

14.Ed.3.10. 10 The Sherife of euery Countie ſhall haue the kæping of the common Gaole within that Shire, and of the priſoners therein. AB. Priſons 1. Seuerall penalties for the negligent eſcapes of ſeuerall ſorts of offendors. EXP. All grants made for the kæping of Gaoles, and of any caſtles wherein any ſuch Gaoles be, reſumed. — Gaoles.

11 The penalties for kæping of Buckſtals, Stalking, and taking of Herons. AB. Hunting 2.3. Herons 1.2. — Buckſtals.

12 The like remedies prouided for the puniſhment of Vagabonds, poore people, vnlawfull games, and Alehouſes, as were ordained 11.H.7.2. — Vagabonds. Alehouſes.

13 What Iurors ſhalbe impanelled to inquire of a Riot, how much in Iſſues ſhalbe returned vpon euery of them: and the puniſhment of maintainers, by whoſe meanes a Riot is not found. AB. Riots 14.15. — Riot.

1.H.4.7. 8.Ed.4.2 14 The forfeiture and puniſhment for giuing, taking, or wearing of liueries, ſignes, tokens, or badges, and for retaining or being retained, and in what caſes and by whom the ſame is lawfull. And in what courts, and by what Magiſtrates the ſaid offences be inquirable, and puniſhable. EXP. — Liueries. Retaining.

1.R.3.1. 15 The lands of Ceſtuy que vſe ſhalbe put in execution for his debt due by Iudgement, Statute, or Recognizance, ſhal ſatiſfie the chiefe Lord his reliefe, and hariot, And he being a bondman, they may be ſeized by his Lord. AL. 27.H.8.10. — Ceſtuy q̄ vſe.

16 The Statute of 11.H.7.26. touching the ability of Iurors impanelled in the Sherifes Turnes, in Surrey, Suſſex, and Hampſhire, continued vntill the next Parliament. EXP. — Shirifes Turne.

12.H.7.1. 5.Eliz.4. 17 So much of the Statute of 11.H.7.11. as concerneth the taking of apprentices in Norwich, confirmed. And the reſidue of the ſame ſtatute touching Worſted ſhearers, repealed. — Apprent in Norwich. Worſted ſhearers.

18 The penaltie of thoſe which take impoſitions of Boates paſſing vpon the riuer of Seuerne. AB. Boates 10. — Boates.

2.H.6.7 1.H.7.5 19 No Shoomaker, or other to his vſe, ſhall occupy the miſtery of a Currier. No Currier ſhalbe a Shoomaker. No Tanner ſhal put a hide to ſale before it be ſufficiently dried. EXP. 5.El.8. — Shoomaker.

20 A confirmation of the Statute of 3.H.7.10. that coſts and dammages ſhall be awarded to the plaintife, where the defendant ſueth a Writ of Error. AB. Damages 5. — Dammages.

Silke. 21 Certaine things wrought of ſilke, not lawfull to be brought into this Realme. AB. Silke 1.

Calice. 22 A Repeale of a Statute (not printed) made 4. H. 7. That no inhabitant in Calice ſhould bee Atturney or Factor for any Marchant of the Staple there.

Stilyard. 23 All Statutes, Acts, or Ordinances made, or to be made in Derogation of the Liberties and Cuſtomes of the Marchants of the Stilyard, called Guilhalda Theutonicorum, ſhalbe void and repealed. But this ſhal not be preiudiciall to the citizens of London, or their ſucceſſors, for any thing giuen them by the Kings of this Realme, or by Parliament.

Countie court. 24 The Shire Court for the County of Suſſex ſhalbe holden one time at Chicheſter, and another at Lewes. AB. Countie 2.

Statutes

Statutes made at Weſtminſter 21. die Ianuarij, *Anno 1. H. 8. & Anno Dom. 1509.*

1 A Repeale of the Statute of 8. H. 6. 2. prohibiting the K. ſubiects to repaire into Denmarke. Denmarke.

2 The King nor any other ſhall take aduantage of the penalties limitted by the Statute of 1. R. 3. 8. Touching the making of ſeuerall ſorts of clothes, before the nert Parliament. EXP. Cloth.

3 All acquitances made by Iohn Hieron the K. generall Receiuer, or by any other to be appointed in his office, of any of the K. reuenews, or duties, ſhal be a ſufficient diſcharge againſt the King. And the ſaid Iohn Hieron & others in his place ſhall likewiſe ſtand chargeable to others, &c. EXP. Hierons acquitances.

31. Eliz. 5. 4 All Actions, Informations, and Inditements to be made or taken for the King vpon any penall ſtatute, ſhall be taken within iij. yeares after the offence committed, and for any other perſon within one yeare. EXP. Informatiõs.

14. Ed. 3. 21. 2. Ed. 6. 22 1. Eliz. 11. 5 A Repeale of part of the Statute of 3. H. 7. 7. touching Engliſhmen colourably entring into Cuſtomers bookes in their owne names the goods of Marchants aliens. The penalty for cuſtoming of the goods of others, whereby the King loſeth his duty. Cuſtoming of the Wines of others. AB. Cuſtomes 18. 19. 20. Cuſtomers.

6 A repeale of the ſtatute of 11. H. 7. 3. which giueth authority to Iuſtices of Aſſiſe and Iuſt. of Peace to inquire and determine of diuers offences. Iuſtices authoritie.

3. Ed. 1. 10. 7 No fee ſhalbe due to a Coroner, where any perſon is ſlain by miſaduenture, and yet he ſhall do his office diligently. AP. Coroners 15. Coroner.

23. H. 6. 17. 8 An Eſcheator muſt haue xl. marke land, return no offices into any of the K. Courts, but which be found by a Iurie, ſuffer euery perſon to giue euidence vpon the finding of an office, receiue an office found by a Iurie, & deliuer them the Counterpane, ſit in an open place, and ſhal exercise his office but one yeare. 14. Ed. 3. 8. 3. H. 8. 2. AB. Eſcheators 4 5. 6. 7. 8. 10. Offices 2. 5. Eſcheators.

9 The Chancelor of England, or the keeper of the great Seale, may yerely appoint two, three, or foure perſons of Stanys pariſh, to receiue the tol and tuſtome due, and to imploy the ſame vpon the reparation of Stanys Bridge and Cauſey in the County of Middleſex, and thereof to giue account yerely betweene the feaſts of S. Michael and All Saints to the ſaid Chauncellor, &c. or ſuch as he ſhall appoint. FR. Stanys bridge.

36. Ed. 3. 13. 8. H. 6. 16. 18. H. 6. 6. 10 Lands ſeiſed into the K. hands vpon an Enqueſt of office, ſhall be let to farme to him that offereth to trauerſe the ſame within three moneths. AB. Patents 26. Trauerſe.

11 The ſtatute of Attaint, and reforming of Panels made 11. H. 7. 24. continued vntill the nert Parliament. EXP. Attaint.

12 Untrue Inquiſitions found by the procurement of Sir Richard Empſon and Edmund Dudley, intituling the King to tenures in capite, may be trauerſed by the poſſeſſors of the ſame lands, though the parties haue ſued their liueries accordingly. EXP. Empſon. Dudley

13 The Statute of 17. Edw. 4. 1. & 4. H. 7. 23. Inhibiting the tranſporting of money, plate, or iewels (ſauing for the penaltie of felonie) ſhall be continued. EXP. Tranſport money.

14 A repeale of all former ſtatutes made againſt exceſſe of apparell. What kind of apparell men of all degrees and callings are allowed, and what prohibited to weare. EXP. Apperell.

Aſſurances to Empſon and Dudley.

15 All aſſurances made to Sir Richard Empſon, knight, or Edmund Dudley, Eſquire, attainted of high treaſon, of lands to the vſe of others, ſhalbe voide, and their ioint Feoffees ſhall ſtand ſeized of the whole. EXP.

Statutes made at Weſtminſter 4. die Februarij, *Anno 3. H. 8. & An. Dom. 1511.*

Gold & ſiluer.

¶ 1 Euery perſon that ſhall carry ouer the ſea any Money, Plate, Veſſel, bullion of Siluer, or Iewell of Gold, contrary to the ſtatute of 17. Ed. 4. 1. & 4. H. 7. 23. ſhall forfeit the double value thereof. EXP. 9 Ed. 3. 1.

Eſcheators

2 The ſtatute of 1. H. 8. 8. touching Eſchetors, and finding of Offices, made perpetuall.

Archerie.

3 All ſorts of men vnder the age of lx. yeares (certaine except) ſhall vſe ſhooting in long Bowes, and ſhall haue Bowe and Arrowes. Bowſtaues brought into this Realme, ſhalbe open, and not ſold in Bundels. EXP.

Protection.

4 Euery perſon that is or ſhalbe in the K. warres, ſhall haue a protection of Profecturus, or Moratur, cum clauſula Volumus. And no diſcent ſhall preiudice him: and he may alien his land holden in Capite without licence. And if he die in that ſeruice, his heire within age, and in Ward, his executors, feoffees, or aſſignees, ſhall haue the Wardſhip and mariage, toward the performance of his Will. EXP. 4. H. 7. 4. 7. H. 7. 2. 3.

Captaines Souldiers.

5 The penalties of a Captaine abridging his prefixed number of Souldiers, or for detaining of their wages, and of a Souldier hauing taken preſt money, to depart without licence. AL. 4. & 5. Ph. & Ma. 3. AB. Captaines 3. & 15. 7. H. 7. 1.

Draperie.

6 The ſeuerall duties of a Breaker, Kember, Carder, Spinner, Weauer, Walker, Fuller, Clothier, and Aulneger, concerning true making, draping and ſealing of Woollen Clothes. EXP.

Clothes.

7 A confirmation of the ſtatute of 7. Ed. 4. 3. & 3. H. 7. 11. made to reſtraine the tranſportation of Yarne or Woollen Cloth, before it be fulled, barbed, rowed, or ſhorne. AL. 27. H. 8. 13. & 33. H. 8. 19. 5. H. 8. 3.

Vitaile.

8 By whom the prices of Vitailes ſhalbe aſſeſſed, when a Vitailer is chiefe Officer of a Citie, Borough, or Towne Corporate. AB. Vitailes 9. 12. E. 2. 6. 6. R. 2. 9.

Mummers. Viſors.

9 Mummers ſhalbe impriſoned three months, and fined at the diſcretion of the Iuſtices, by whom they ſhalbe deliuered out of priſon. He that keepeth any viſors in his houſe, ſhall forfeit for euery of them xx. s. EXP.

Aliens. Leather.

10 No Alien borne ſhall buy Leather, or wares made thereof, in any ſecret places, but in the open Market in London. And the wardens of Cotiers may ſearch within Franchiſes &c. EXP. 5. Eliz. 8. 5. H. 8. 7.

Phiſitians.

11 By whom euery Phiſitian and Surgeon in London and elſewhere ſhal be allowed. AB. Phiſitians 6. Surgeons 1. 2. 34. H. 8. 8.

Panels.

12 Panels returned by the ſherife to inquire for the King, may be reformed by the Iuſtices. AB. Iurors 8. 11. H. 7. 24.

Croſbowes.

13 A confirmation of the ſtatute of 19. H. 7. 4. ordained againſt ſhooting in Croſbowes: and all Placards graunted, reuoked.

Oyle.

14 Who may ſearch Oyle in London, and other Cities and Townes, and punish ſuch as ſell falſe and mixt Oyles. AB. Oyle 1. 2.

Hats & Caps.

15 Who may buy Hats and Caps wrought beyond the ſea. Hats and Caps made within this Realme ſhalbe ſufficiently wrought and coloured. The prices of ſeuerall ſorts of Hats and Caps. All Statutes made for Hats and Caps repealed. EXP. 1. Iac. 25. 21. H. 8. 9. 1. M. 11.

Statutes

Statutes made at Weſtminſter 4. die Nouembris, An. *4. H. 8. & An. Dom. 1512.*

¶ 1 Subſtantiall Bulwarkes, Bayes, walls, ditches, and other fortifications ſhalbe made in euery ſuch landing places by the Sea coaſts, by the inhabitants of the ſame Countie, as the Juſtices of peace and Shirife in that Countie where any ſuch landing places be, ſhall thinke needfull. EP. — Bulwarkes.

22. H. 8. 2. 23. H. 8. 1. 1. Ed. 6. 12. — 2 The benefit of Clergie taken from him which committeth murder or felonie in a halowed place, the high way, or a dwelling houſe. AB. Clergie 13. A Felon arraigned for murder or felonie, pleading that hee was taken out of a priuiledged place in another Countie, ſhalbe tried by the ſame Jurie that ſhal trie the felonie or murder. AL. 1. Iac. 25. — Clergie. Sanctuarie.

5. H. 8. 5. — 3 A remedie for the Maior and Shirifes of London to recouer iſſues forfeited by Jurors in their courts. Panels in London for the triall of ſuites depending in the K. Courts at Weſtminſter: And what iſſues ſhalbe returned vpon the Jurors. AB. Iurors 16. — Iſſues in London.

6. H. 8. 4. — 4 Proclamations ſhall be made to giue warning to him, that dwelling in one Countie, is ſued to an Exigent in a perſonall action in another Countie. EP. — Exigent.

5 A repeale of the Stat. of 12. R. 2. 4. and of all other Statutes, by which any penalties be impoſed vpon the maſter of a ſeruant, or a giuer of wages. — Wages.

22. Ed. 4. 3. — 6 No Collector or Comptroller of the Subſidie ſhal take any thing for ſealing of Cloth of gold, ſiluer, veluet, &c. Neither ſhall hee delay any marchant therein. AB. Cuſtomers 12. — Collectors of Subſidie.

19. H. 7. 6. 25. H. 8. 9. 33. H. 8. 4. — 7 In what places Pewter and Bzalle ſhalbe ſold or changed: Of what goodneſſe the ſame ought to be: The wares made thereof, and the marking, weighing, and ſearching thereof. AB. Pewter 1. &c. — Pewter.

8 All ſuits, accuſements, condemnations, executions, fines, amerciaments, punishments, corrections, graunts, charges, and impoſitions put, or had, or hereafter to bee put or had vpon Richard Strode, and to euery of his Complices, that now be of this preſent Parliament, or that of any Parliament hereafter ſhall be, for any bill, ſpeaking, reaſoning, or declaring of any matter concerning the Parliament to be communed and treated of, ſhall bee vtterly void. And hee that is vered ſhall haue an Action vpon the caſe, and recouer treble dammages and coſts. Q. whether this be generall, or for R. Strode onely. — Free ſpeeches in parliament. R. Strode.

Statutes made at Weſtminſter 23. die Ianuarij, An. 5. *H. 8. & Anno Dom. 1513.*

¶ 1 A forme of adminiſtration of Juſtice to the K. ſubiects of his Citie of Turney, viz. how they may haue aſſurance and recouerie of their debts due to them by Engliſhmen, and how Engliſhmen of them. EP. — Turney.

6. H. 8. 8. 7. Ed. 6. 9 — 2 White Straits made to be ſold within the Countie of Deuon, raw, readie to be tucked, ſhalbe a yard and halfe a quarter broad, and 25. yards long. EP 5. E. 6. 6. No Clothier ſhal vſe ſuch mark as another doth. AB. Drapery 52. — Draperie.

7. Ed. 4. 3. 3. H. 7. 11 33. H. 8. 19. — 3 White woollen Clothes of fiue Markes price, or vnder, may bee carried ouer the Sea, vnſhorne, vnrowed, or vnbarbed. AL. 27. H. 8. 13. — Clothes.

25. H. 8. 7. — 4 No Worſted ſhalbe drie calendred. Who ſhall wet calender Worſteds AB. Worſteds 2. — worſted.

4. H. 8. 3 — 5 What iſſues the Shirifes of London ſhall returne vpon Jurors impanelled to trie iſſues in the K. Courts at Weſtminſter triable in London. — Iſſues in London.

AB. Iurors

AB. Iurors 16.

Surgeons. 6 Surgeons of London shalbe exempt from being Constables, bearing of armor, or to be put in watches, or Enquests: So that they exceed not at one time aboue the number of xy. persons. AL. 32. H. 8. 42.

Strangers. 7 All strangers borne, being of the fellowship of the blessed Trinitie, and all other persons borne vnder the Emperors, and king of Castiles dominions may buy red Leather, or other Leather corved, or not corved, in open Markets

Leather. and Faires, sufficiently wrought, allaied, and sealed, Notwithstanding the stat. of 3. H. 8. 10 REP. 5. Eliz. 8.

Pardon. 8 Euerie person that will sue for the K. pardon, heretofore graunted vpon certaine articles, shall haue the benefit of it, so that he pay such fees for the sealing, and other duties in the K. Courts, as shalbe appointed by the king, or his assignees. REP.

Statutes made at Westminster 5. die Februarij, An. 6. H. 8. & Anno Dom. 1514.

Apparell. ¶ 1 A restraint for all Temporall men to vse excesse of apparell. REP. 7. H. 8. 7.

Archerie. 2 The Stat. of 3. H. 8. 3. touching shoting in long Bowes, and bringing into the Realme of Bowstaues, made perpetuall. REP. 33. H. 8. 9.

Seruants. 3 The seuerall wages of Seruants in husbandry, artificers, and day labo- 7. H. 8. 5, 6.
rers, and the penaltie of those which take more. REP. 5. El. 4.

Exigent. 4 Proclamations shall be awarded to give notice to him, which dwelling 4. H. 8. 4.
in one Countie, is sued to an Exigent in another. AB. Exigent 5.

Husbandrie. 5 The penaltie for decaying any towns, or house of husbandrie, or for con- 4. H. 7. 19.
uerting tillage into pasture. REP. 7. H. 8. 1.

Removing of prisoners. 6 The Iust. of the K. Bench may remaund prisoners out of the K. Bench into the Countrey to be tried. AB. Removing &c. 2.

Fares about London. 7 The seuerall summes that Watermen shall take for their fares, from one place to another neere to the citie of London. And the Watermen refusing to accept the said prefixed fares shall forfeit treble the value thereof. AL. 2. & 3. P. & M. 16.

Straits. 8 A confirmation of the stat. of 5. H. 8. 2. touching white Straites. And reisset Straits shalbe of the like length and breadth, and being read shall weigh xiij. pounds. AL. 27. Eliz. 18.

Draperie. 9 The weight of the woll deliuered by the Clothier to the Carder, Spinner, &c. and by them redeliuered. The Weauer shall put into the Cloth all the woll, or lesse it. The measure of woollen cloth to be sold. There shall bee no 3. Ed. 6. 2.
buying of coloured wool or yarn, but in the market. AB. Draperie 54. 67. 68. 74.
Shrinking of cloth, straining of cloth, putting of deceitfull things into cloth. 14. H. 8. 11.
AL. 5. E. 6. 6.

Sewers. 10 Commissions of Sewers may be graunted throughout this Realme, and the marches of Calice, Guines, and Hammes for x. yeres. REP.

Bow-staues. 11 The Stat. of 1. R. 3. 11. touching bringing of Bowstaues into this Realme, shall not extend to any Subiects borne in England, Wales, or Ireland. REP.

Norffolke Wool. 12 Whosoeuer shall ship or carrie beyond the Sea, any Wools called Ireland, or other Wools growing in Norffolke, or the borders thereof, necessarie for the making, and breaking of Worsteds and Stamines, shall forfeit for euerie stone xl. s. And all Licences granted, and to be graunted thereof, shalbe void. REP.

13 Who-

14.H.8.7. 13 Whosoeuer shall shoot in, or keepe in his house any Handgun, or Crosbow (without the K. licence) vnlesse he hath yearely reuenues to the value of CCC. Markes, shall forfeit the same, and x.li. for euery shoot. MP.25.H.8.17. All former Statutes touching shooting in Crosbowes repealed. Crosbow. Handgun.

14 The Stat. of an 12. Ed.4. for the paiment of tonnage and pondage, shal stand good during the Kings life and no longer. MP. Tonnage. Pondage.

15 What shalbe erpressed in Patents of lands, offices, or other things, before granted to some others, during the kings pleasure. AB. Patents 2. Patents.

16 No Knight, Citizen, Burgesse, or Baron, shall depart from the Parliament without licence. AB. Parliament 2. Parliament.

17 The Maior, Aldermen, Citizens, and Cominalty of Canterbury, with the aduice of the Archbishop of Canterburie, and v. or vj. knights, being Justices of peace, and of the Maior of Sandwich, may cause to bee digged, inlarged, clensed, and scoured, the riuer of Canterburie, betweene Chart and Canterbury, & from the said citie to the common crane in the towne of Fordwiche, in such maner as liters and boats may haue by the same riuer full passage for carriage. And also may stop ditches, and make & inhaunce bayes, dammes, walles, and brinks, for the inhauncing of the riuer, and abate, take away, and pull downe all mills, bridges, and other impediments, whereby the course of the said liters and boats shal be letted. And an action or suit shall bee maintenable therefore. But euerie person that shall bee damnified shall bee reasonably satisfied by the Maior, Aldermen, &c. as the said Archbishop and knights shall adiudge. HR. Canterburie riuer.

18 The Undersherife, and all other officers of Shirifes within the Shire of the towne of Bristow, shall, or may continue their offices from yere to yere in like maner, as the Undershirifes &c. do, and may do in London, Notwithstanding the Stat. of 23.H.6.8. AB. Shirifes 4. Shirifes in Bristow.

Statutes made at Westminster 12. die Nouembris, *Anno 7.H.8. & Anno Dom.1515.*

¶ 1 Because by the desolation, and pulling downe, of houses & townes, and laying to pasture land, which customably hath bene manured, and occupied with Tillage, idlenes the ground & beginning of all mischiefes doth increase: Men, women, and children, that were daily occupied, and liued by sowing of corne, breeding of cattell, and other increase, and their progenies bee diminished: husbandrie, the greatest commoditie in this realm for sustenance of man is decayed: Churches be destroyed: the seruice of God is withdrawn: Christian people there buried are not prayed for: the Patrons and Curates be wronged: cities and market townes be brought to great ruine and decay: necessaries for mans sustenance be made scarse, and deere: the people of the Realme be sore minished: the power and defence thereof is feeble and decayed, to the high displeasure of God, and against his lawes, and to the subuersion of the common wealth, and desolation of the same: Therefore it is enacted, that if any person shall decay any Towne, Hamlet, or house of husbandrie, or conuert Tillage into Pasture, and doth not repaire the same againe within one yeare, The immediate Lord of the fee may distraine for the moitie of the value of the issues and profits of such lands whereof the house of husbandrie is not maintained, vntill the same house be againe repaired for the occupying of husbandrie. And if the same Lord immediat doe not execute the premisses, Then the Lord aboue him may do it within halfe a yeare. But this shall not be preiudiciall to any Parkes for Deere, or Marshes for walling, or inclosing. MP.39.Eliz.1. Townes. Houses of husbandrie.
4.H.7.19. 6.H.8.5 27.H.8.22. 5.Ed.6.5. 5.Eliz.2.

A repeale of Licences. 2 A repeal of all Licences graunted by the King to diuers persons, to bring into this Realm Gascoigne, or Guian wines, or Tholouse woad, contrarie to the statute of 4. H. 7. 10.

Actions popular. 3 Within what time all Actions, suites, bills, indictments, or informations popular shall be sued. HP. 31. Eliz. 5.

Recoueroʒs. 4 Recoueroʒs may distraine the tenants of the lands recouered foʒ rents, seruices, and customes. And bʒing a Quare impedit foʒ an Aduowson. AB. Recoueries 1.

Wages. 5 The seuerall wages of seruants in husbandʒie, artificers, and day labourers, and the punishment of those which take moʒe. HP. 5. Eliz. 4. 6. H. 8. 3.

Labourers in London. 6 Carpenters, Freemasons, Bʒicklaiers, &c. may take such wages in London, as they did beforʒe the stat. of 6. H. 8. 3. HP. 5. Eliz. 4.

Apparell. 7 A repeale of the stat. of 6. H. 8. 1. and of all other stat. foʒ apparell made beforʒe it. What kind of apparell tempoʒall men of all degrees and estates are allowable, and what pʒohibited to weare. HP. 24. H. 8. 13.

Statutes made at London 15. die Aprilis, An. 14. H. 8.
& 31. die Iulij, Anno 15. H. 8. & Anno Domini 1523.

Wollen cloth. ¶ 1 No person shall sell oʒ deliuer to any Marchant bʒone out of the Realme beyſance, oʒ to any other to his vse, any bʒoad white woollen Cloth made in England, except he cannot sell it to some English Marchant within eight dayes after he hath bʒought it to Blackwell Hall, vnlesse the sale be made in any Faires Poʒts, oʒ Crekes, in which case the said Clothes shall bee sold foʒ ready money, oʒ wares. HP.

Aliens. 2 Under whose search and reformation Aliens reſiant in London, and two miles compasse shalbe. Their seueral markes, their appʒentices, and Journeimen. AB. Aliens 3. 4. 5. 6. 15.

Woʒsted. 3 Woʒsted weauers of great Yarmouth and Linne, may yearely chuse one houſholder of either of the said Townes, to be Warden of the said Craft, within the said Townes, foʒ the yere following. The Wardens othe and authoʒitie. The Woʒsted made at Lynne and Yarmouth shall bee died, shoʒne, and calendʒed at Noʒwich, and beforʒe shall not bee transpoʒted. AB. Worsteds 1. 4. 7. 8. Who Woʒsted weauers may take foʒ their appʒentices. AB. Labourers 31. 16. H. 8. 16.

Custome. 4 An English man sworne subiect to a foʒreine Pʒince, shall pay such customes and impoſitions as strangers do. AB. Customes 14.

Phyſitians. 5 The Phyſitians in London made a bodie coʒpoʒat, of a Pʒesident & viij. Elects. Their pʒiuiledges and authoʒitie. AB. Phyſitians 1. 3. 7. 1. Ma. 9.

Wayes in Kent. 6 Any person may lay out a moʒe commodious way, in, and ouer his owne fee simple land in the Weald of Kent, by the assent of two Iuſtices of Peace, and twelue diſcrete men, and in stead thereof retaine the ground of the old way in seueraltie to him and his heires: Which Iuſtices and twelue men shall within thʒee moneths make certificat of the same new way into the Chauncerie. A Pʒouiso that he which hath a way thʒough the same old way, may vse it. HR. 26. H. 8. 7.

Crosbow. Handgun. 7 Any person that hath lands oʒ pʒofits to the yearely value of a C. pounds may shoot in Crosbowes, and Handgunnes, Notwithstanding the Statute of 6. H. 8. 13. All foʒmer Placards graunted by the King to shoot in, either of them shall be void. HP. 25. H. 8. 17.

8 The

8 The ſix Clerkes of the Chancerie may take wiues, and inioy their office of vj. Clerks. AB. Clerke of the Chancery 1. vj. Clerks of the Chancery.

9 A repeale of the Statute of 4. Ed. 4. 7. inhibiting Cordwainers in London, and three miles compaſſe, to pull on Shoes or Bootes vpon the legges or feet of any vpon Sundayes &c. Shoomakers in London.

10 If any perſon ſhall trace, and kil any Hare in the ſnow, with any dog, bitch, or otherwiſe, he ſhall forfeit vj. s. viij. d. AL. 1. Iacob. 27. for the forfeiture. Hares.

11 The Stat. of 6. H. 8. 9. Touching the ſhrinking of Clothes, ſhal not extend to veſſes, otherwiſe called Set Clothes, of what colour ſoeuer they bee, not being aboue the value of xl. s. a Cloth, for that they lacke in length and breadth when they be wet. Set Clothes.

12 Coiners that ſhall coyne and make money at any Mint within this Realme (Sauing at Yorke, Dureſme, and Canterburie) ſhall coine part thereof into halfe Angels, Groates, Two pence, Pence, Halfe pence, and Farthings. CB. Money.

13 The Stat. of 11. H. 7. 5. touching the repaire of Southhampton Hauen made perpetuall. Southhampton hauen.

14 They which are, or ſhall bee in ſeruice with the King in his warres, may alien their lands for the performance of their Wills, without fines, and alſo may diſpoſe of the Wardſhippes of the bodies, and lands of their heires. EXP. Seruice in warre.

Statutes made at London 3. die Nouembris, Anno *21. H. 8. & Anno Domini 1529.*

¶ 1 The Kings free Pardon eſtabliſhed by authoritie of Parliament. EXP. Pardon.

2 Euerie perſon taking Sanctuarie for felonie or murder that ought to abiure, after his confeſſion, and before his abiuration, ſhalbe marked by the Coroner with the letter A. vpon the brawne of the Thombe of the right hand, with a hot yron, and then ſhall abiure. And if hee refuſe to take his paſſage at ſuch time as the Coroner ſhall appoint him, he ſhall loſe the benefit of ſanctuarie, and be committed to priſon. EXP. 1. Iac. 25. Sanctuarie. Abiuration.

3 The plaintife in Aſſiſe may abridge his plaint, of any part whereunto a barre is pleaded. AB. Abridgement &c. 1. Plaint.

4 Part of the Executors which take vpon them the charge of the Will, may ſell the land deuiſed by the Teſtator to be ſold. AB. Executors 3. Executors.

31. Ed. 3. 4. 3. H. 5. 8. 21. H. 8. 15 5 What fees Ordinaries and their officers ſhall take for the Probate of Teſtaments, committing of Adminiſtration, Inuentories, Acquitances, &c. AB. Probate &c. 1. &c. Probate of Teſtaments.

6 For which perſons Mortuaries ſhall be paid, and for which not, and in what places they ſhall be paid, and in what not, and how much. AB. Mortuaries 1. &c. Mortuaries.

5. Eliz. 10. 27. H. 8. 17. 7 If any ſeruant (other then an apprentice) being of the age of xviij. yeres, ſhall go away with any money, goods, or cattels of his maſters, to the value of xl. s. or aboue, it ſhalbe Felonie. AB. Felony 10. Seruants.

24. H. 8. 7. 8 No Butcher ſhall kill any ſucking Calfe to be ſold, which ſhall be calued betweene the firſt day of Ianuarie, and the firſt of May, vpon paine of forfeiture of vj. s. viij. d. EXP. Calues.

9 Who-

Caps. Hats.

9 Whosoeuer doth sell, or cause to be sold, any woollen cap made beyond the Sea, for aboue v.s. or any hat aboue x.s. or any single crowned hat, or single night cap aboue vj.s. shall forfeit xl.s. EP. 1. Iac. 25. 3.H.8.15. 1.M.11.

Brasse.

10 Whosoeuer shall carrie forth of this Realme any Brasse, Latten, or Copper, shall forfeit the same, or the value thereof. EP. 33.H.8.7. 2.Ed.6.37.

Restitution.

11 There shalbe restitution awarded of the stollen goods, after the attainder of the selon. AB. Restitution 1.

Hempe.

12 Hempe growing within fiue myles of Burport, shall bee sold there. Cables, Hallers, and Tackle of hempe, shall be made at Burport. AB. Caples 1.2. 1.Iac.25.

Dispensation.

13 No person shall procure dispensation at the Court of Rome, to be non-resident, or to take more benefices then one. EP. 1. & 2. P. & M.8. Spirituall persons shall take no farmes, but in certaine cases. They shall not haue more Benefices then one, without dispensation. They shal not be absent from their Benefices, nor buy to sell againe, or keepe any Tanhouse, or Brewhouse. EP. Ecclesiasticall &c. 14. &c. 25.H.8.21.

Spirituall persons.

25.H.8.16 33.H.8.28.

Linnen cloth

14 If any person English or Alien, doe bring, or cause to bee brought into this Realme any Lynnen cloth, called Dowlas, or Lockeram, vnlesse the whole peece of Dowlas do contain in length fiue score Elles of Assise, accompting to euery Elle one inch of assise, and in breadth one yard of Assise, and euerie halfe peece 50. Elles in length, and one yard in breadth. And euerie peece of Lockeram to bee of like length &c. hee shall forfeit the same. EP. 28. H.8.4.

Fained recouerie.

15 Tenant for yeares may falsifie a fained recouery had against him in the reuersion. And no Statute, or execution by Elegit, shall bee auoyded by such recouerie. AB. Recoueries 8.9. 6.Ed.1.11.

Aliens.

16 Aliens borne shall bee contributorie to all charges and tares, with the Kings subiects artificers. Their othe of obedience to the King and his lawes. A Denizen onely shall keepe house. They shall not assemble in companies, but in their Hals. They shall assist their Wardens to make search. AB. Aliens 4.7.8.9.10.

Patents to Yorke.

17 A repeale of the K. letters Patents graunted Anno 15. of his raigne to the Maior and citizens of Yorke, for the carrying to Hull, and transporting from thence, to forrein parts, wols, and fels growing, or arising in some parts of Yorkeshire.

Newcastle.

18 No person shall ship, load, or vnload, any goods to be sold, in, to, or from any ship, at any place within the riuer of Tyne, betweene the places called Sparhawke, and Hedwinstremes, but onely at the towne of Newcastle. The Maior, Burgesses, and Cominaltie of Newcastle, and their successours, may plucke downe all weares, gores, and engins that shall bee made in the hauen betweene the places aforesaid. HR.

Auowrie.

19 An Auowrie shal be made by the Lord vpon the land, without naming his tenant. The Auowant shall recouer costs and dammages against the plaintife. AB. Auowrie 1. &c.

President of the Counsell.

20 The President of the K. Counsell shall be associate with the Chauncelour and Treasorer of England, and the Keeper of the K. priuie seale, for the examination and punishment of Riots &c. AB. Courts 4. 3.H.7.1.

worsted weauers.

21 The Statute of 14.H.8.3. concerning Worsted weauers in Yarmoth and Lynne, continued vntill the end of the next Parliament. 26.H.8.16.

Statutes

Statutes made at the Seſsion of Parliament holden by *prorogation at Weſtminſter 16. die Ianuarij, Anno 22. Hen. 8. & Anno Domini 1530.*

4.Ed.4.4. 37.H.8.15. ¶ 1 The Stat. of 4.H.7.11. Touching the buying of Wools in xviij. Shires, renewed for x. yeares. And other x. Counties included therein, viz. Bucking. Northampt. Leiceſt. Hunting. Warw. Lincol. Darby, Rutland, Notting. and Yorke. Makers of Sayes, Worſted, Stamines, Hats, and Caps, ſhall haue like time for buying of Woll for thoſe purpoſes, as makers of Cloth, and Yarne. EXP. Wools.

2 So much of the Stat. of 4. H. 8. 2. as toucheth the triall, that he was taken out of Sanctuarie in a forrein County, pleaded by a Felon, made perpetuall. EXP. 1. Iac. 25. A forreine plea.

3 A remedy for the obtayning of all teſſes, ſcots, and tares, with their doubles, impoſed for the recouerie, or defence of Plumſted Marſhes. EXP. Plumſted Marſh.

28.H.8.5. 4 The fees of Wardens, or other Officers, for the entrie of an Apprentice, or free man, into their fellowſhip. AB. Corporations 4. Corporation.

5 A remedy to repayre decayed Bridges in High wayes, aſwell where it is knowen, as where it is not knowen, who be chargeable therewith. AB. Bridges 1. &c. Iuſtices of peace 70. Bridges.

6 If any Butcher keepe a Tanhouſe, he ſhall forfait vj.s. viij. d. a day. EXP. 5. Eliz. 8. Butcher.

11.H.7.13. 1.Ed.6.5. 5.Eliz.19. 7 Whoſoeuer ſhall conuey any Horſes, Geldings, Mares, Coltes, Oxen, Steeres, Kyne, Calues, or Sheepe, into any parts beyond the Sea, (Sauing to Calice) without the Kings licence, ſhall forfeit xl.s. for euery Poll. EXP. Tranſporting Cattell.

1.H.7.2. 11.H.7.14. 8 Aliens borne made Denizens, ſhall pay ſuch Cuſtomes, as they did before. And the Officers of euery Citie, Borough, or Towne, where any ſuch cuſtome ſhall be demaunded, ſhall ſet vp Tables of euery cuſtome, toll, and dutie. AB. Aliens 2. Corporations 6. Aliens made Denizens.

9 Wilfull poyſoning ſhall be adiudged high Treaſon. And the offendor being attainted thereof, ſhall be boyled to death. EXP. 1.M.1. & 1.Ed.6.12. Poyſoning.

5.Eliz.20. 10 If any calling themſelues Egyptians doe come into this Realme, they ſhall forfeit to the King all their goods and cattels. And being commaunded, ſhall depart the Realme within xx. dayes, vpon paine of impriſonment. AL. 1.&2.P.& M.4. Egyptians.

2.&3.P.& Ma.19. 11 It ſhall be Felonie to breake vp, or cut downe Powdike in Marſhland in Norffolke: Or Old field dike by Marchland in the Iſle of Ely. AB. Felony 36. Powdike.

3.Ed.6.16. 12 The Iuſt. of Peace of euery Countie, diuiding themſelues into ſeuerall limits, ſhall giue licence vnder their Seales, to ſuch poore, aged, & impotent perſons, to beg within a certaine precinct, as they ſhall thinke to haue moſt neede: And if any do beg without ſuch licence, or without his precinct, he ſhall be whipped, Or elſe ſhall be ſet in the Stockes three dayes and three nights with bread and water onely, at the Iuſt. of peace', or high Conſtables diſcretion. And a Vagabond or valiant perſon taken begging, ſhall be whipped, and then ſhall be ſworne to returne to the place where he was borne, or laſt dwelt by the ſpace of three yeares, and there to put himſelfe to labour. EXP. 14. Eliz. 5. & 1. Ed. 6. 3. Poore. 27.H.8.25. Vagabonds.

13 No Stranger being a common Baker, Brewer, Surgeon, or Scriuener, ſhall be accompted a handycraftſman. AB. Aliens 12. Alien.

14 If any perſon doe reſort to a halowed place for the ſafegard of his life, Abiuration. by Sanctuarie,

by occaſion of any Felony committed by him, & confeſſe the ſame before the Coroner, (for the which by the Lawes of this Realme he ſhould abiure, and paſſe out of the ſame) The ſame perſon ſhall abiure from all his Libertie, and frée habitations, & paſſages, which pertaine to Subiects vndefamed, and be directed by the Coroner to any one Sanctuarie which he will chooſe, there to remaine during his life. If a Sanctuary perſon doe depart from thence without the Kings licence, or doe commit felonie, he ſhall loſe the benefit thereof. None ſhall be taken out of Sanctuarie, for a felonie ſuppoſed to be committed by him, vntill he be examined by two of the Kings priuie Councell, or iiij. 32.H.8.12.

Forrein plea. Challenge. Iuſt. of peace. EXP. 1. Iacob. 25. Triall of forrein Pleas pleaded by any perſon arraigned for felony &c. AB. Triall 3. There ſhall be no peremptory challenge vpon arraignement for petie Treaſon, Murder, or felony. AB. Challenge 11. 32.H.8.3.

Pardon. 15 The Kings generall Pardon to his Spirituall ſubiects, Except &c. EXP.

Pardon. 16 The Kings generall Pardon to his Temporall ſubiects, Except &c. EXP.

Statutes made at the Seſsion of Parliament holden by *prorogation at Weſtminſter 15. die Ianuarij, Anno 23. Hen. 8. & Anno Domini 1531.*

Clergie. ¶ 1 No perſon that ſhall be found guiltie of Petit Treaſon, wilful Murder, or for Robbing &c. ſhall be allowed his Clergie, (except ſuch as be within holie Orders, viz. of Subdeacon, or aboue) No perſon within ſuch orders of Subdeacon, or aboue, found guiltie of any of the offences aforeſaid, admitted to his Clergie, and deliuered to the Ordinarie ſhall make purgation, or be ſet at libertie, but ſhall remaine in perpetuall priſon, vnder the kéeping of the ſame Ordinarie, and his ſucceſſors, vnleſſe he can find two ſuerties to be bound before vj. Iuſtices of Peace of that Countie with him in xl. li. for his good abearing. Euery Ordinarie may diſgrade any ſuch conuict perſon, if he ſée cauſe, and ſend him into the K. Bench with a Certificat, And then the Iuſtices there hauing the Record of his conuiction, may giue iudgement of death againſt him. AL. 28. H.8.1. 4.H.4.3. 32.H.8.3. 26.H.8.12.

Purgation.

Diſgrading a Clerke.

New Gaoles 2 The moſt part of the Iuſt. of Peace of euery of the Counties of Eſſex, Suffolke, Dorſet, Suſſex, Surrey, Nottingham, Glouceſter, Bedford, Buck. Huntingt. Wiltſhire, Kent, Warwicke, Stafford, Oxen, Berks, Leiceſter Rutland, Lincolne, Hertford, Northampt. Salop, Norfolke, Cornewall, and Derby, ſhall haue authoritie within one yeare to appoint the Townes & places, within the limits of their commiſſion, wherein they ſhall thinke neceſſarie, to haue a common Gaole newly edified, at the charges of ſuch of the Inhabitants of the ſame Counties, as haue landes, and tenements, rents, or annuities to the yearely value of xl.ſ. or be worth xx. li. in goods, at the leaſt. In which Gaoles all Murderers and felons ſhall be impriſoned, and not elſwhere. And the Shiriſes ſhall haue the kéeping and charge of the ſame Gaoles. EXP. 5.Eliz.24. 13.Eliz.25.

Attaint. 3 An Attaint maintenable in certaine caſes, The number of the graund Iurie therein, Their abilitie. Where it ſhall be taken by default. What pleas the defendant or petit Iurie ſhall plead. The puniſhment of the petit Iurie attainted. Iudgement for the plaintife. Iudgement for the defendant. AB. Attaint 1, &c. 13.Eliz. 25. 11.H.7.21. 37.H.8.5.

Ale. Béere. Sope. 4 No Brewer ſhalbe a Cowper. The prices of Ale & Béere. The contents of Ale & Bere veſſels. AB. Brewer 1. 2. Cowpers 2. 3. The content of Sope veſſels. AB. Sope 1. The ſeuerall prices of Ale & Béere veſſels. EXP. 8. Eliz. 9. 35.H.8.8.

Sewers. 5 Commiſſions of Sewers ſhall be graunted into all the parts of this Realme, 3.& 4.Ed.6. 8.

Realme, as nede shall require. The Commissioners oath. Their authority, orders, abilitie, wages, and discharge. AB. Sewers 1. &c.

6 The forme of a Recognizance, of the nature, and force of a Statute Staple, the Seales, Certificat, and execution thereof. AB. Statutes 5. &c. Recognizance

26.H.8.10. 7 No man shall lay on land out of a Ship, any French wyne, betweene the feastes of S. Michaell, and the Purification, vpon paine of forfeiture thereof. No person shall sell by retaile any French wynes aboue viij. d. the gallon, viz. j. d. the pint. Nor any Malmesie, Sacke, Romney, or other sweete 28.H.8.14. wine aboue vij. d. the gallon. The prices of the Tunne, Butt, Pipe, and Hogshead of the said Wines, shall be assessed by the Kings great officers. The contents & gauging of the said vessels. The Stat. of 5.R.2.3. 6.R.2.8. 4.H.7.10. & 1.R.3.13. confirmed. EP. Wynes.

8 A meane to maintaine the Hauens and Ports of Plimmouth, Dartmouth, and Teingmouth in the Countie of Deuon, and of Falmouth, and Fowey in Cornewall. AL. 27.H.8.23. AB. Hauens 7. Hauens in Deuon and Cornw.

1.& 2.P & M.8. 9 No person shall be cited to appeare out of the Dioceese where he dwelleth, but in certaine cases. The fées of a Citation. AB. Citation 1. Citation.

1.Eliz.1. 10 Assurances of lands to the vses of Churches, Chappels, Guildes, Fraternities, in fee, or for rr. yeares. Collaterall assurances. Custome to deuise in Mortmaine. AB. Mortmaine 6.7.8.9. Mortmaine.

11 If a Clerke conuict being in the prison of any Ordinarie, wilfully breake the same, and escape, it shall be adiudged Felonie, without priuiledge of Clergie, or Sanctuarie, Vnlesse he be within holy Orders, viz. a Subdeacon, Deacon, or Priest. And it shall be at the Ordinaries libertie, to disgrade such offendor, and to send him to the B. Bench, where the Justices hauing the Record of his conuiction, may giue iudgement of death against him. EP. 1.Ed.6.12. for the Felonie. Breaking prison. Disgrading.

9.H.6.5. 12 The penaltie for hindering passengers vpon the banke of the ryuer of Seuerne, or for demaunding of any Toll of them. AB. Boatmen 9. Seuerne.

13 Triall of Felons in corporat Townes may be by men worth xl. li. in goods. AB. Iurors 15. Triall of Felons.

14 What Proces shall be had in Trespas vpon the Stat. of 5. R. 2. 7. writ of Annuitie, and Couenant. AB. Proces 3. Proces.

15 The defendant shall recouer his costes in certaine Actions, if the plaintife be nonsuit, or the verdict passe against him. But he that sueth in forma pauperis, shall be otherwise punished. AB. Dammages 6. 7. Dammages.

32.H.8.6. 16 It shall be Felony to sell, exchange, or deliuer within Scotland, or to the vse of any Scottish man, a Horse, Gelding, or Mare. EP. 4.Lac 1. Scotland.

8.H.6.22. 13.Eliz.25. 17 No Woll shall be wound which is not sufficiently washed. Nothing shall be put in fléece, to the deceit of the buyer. AB. Wolles 8. 9. woll.

18 Fishgarthes, Piles, and other engines, set in the ryuer of Ouze and Humber, shall be pulled downe. There shall be no vnlawfull Fishing in the said ryuer. AB. Hauens &c. 8. 9. Ouze. Humber.

19 The Kings free Pardon to all his Spirituall subiects within the Prouince of Yorke, Except &c. EP. Pardon.

Statutes made at the Session of Parliament holden by *Prorogation at Westminster, 4. die February, Anno 24. Hen. 8. & Anno Domini 1523.*

¶ 1 Tanned Leather shall not be sold but in open Faires and Markets, nor before the same be searched, and sealed. Who shall be Searchers, Leather.

and Sealers thereof. The Curriers dutie in currying of Leather. HP. 5. Eliz. 8.

Dying of Cloth.

2 No perſon ſhall dye, or alter any woollen Cloth, or Hats, or Caps, except the ſame be perfectly boyled, grained, or maddered vpon the woad, and ſhotte with good Corke, or Orchall, after due and ſubſtantiall meane of workmanſhip. No Dyer ſhall occupie Braſell in the dying of Woollen Clothes, Hats, or Caps: Nor any thing but Graine only in dying of Scarlet. HP. 23.Eliz. 9.

The prices of Beefe, &c.

3 Euery perſon which ſhall ſell the carcaſſes of Beeſes, Muttons, Porke, or Veale, ſhall ſell the ſame by Haberdepoys, and ſhall haue with him ſufficient beame, ſcales, and weights ſealed, called Haberdepoys. No perſon ſhall take for a pound of Beefe, or Porke, aboue one halfe pennie. Nor for a pound of Mutton, or Veale, aboue ob. q. But in ſuch Counties and places where they be ſold for leſſe prices, they ſhall ſo continue. A Calfe aboue viij. weekes old, ſhall be accompted beefe. HP. 33. H. 8. 11. 25.H.8.1.

Sowing of Hempe.

4 Euery perſon hauing in his occupation 40. acres of arable land, or paſture apt for Tillage, ſhall yearely till and ſow in ſeaſonable time one rode thereof with Lynne ſeede, otherwiſe called Flaxe ſeede, or Hempe ſeede, or with both: And ſo one Rode for euery 40. acres, which he ſhall haue in his occupation, vpon paine to forfeit iij. s. iiij. d. for euery rl. acres &c. But this ſhall not extend to ground not apt for Tillage: Nor to land, or paſture which hath not been tilled 50. yeares before. An Acre ſhall be accompted 160. Perches: And euery Perch 16. foote and demy. HP. 35. Eliz. 7.

Forfeiture.

5 There ſhall be no forfeiture for killing of any perſon, which attempteth to robbe, or murder him. AB. Forfeiture 1.

Wynes.

6 The penaltie for denying to ſell Wynes at the prices aſſeſſed by the Kings great Officers, according to the Stat. of 23. H. 8. 7. In what caſes Juſt. of Peace, Maiors, or other Officers may ſell an other mans wynes. AB. Wines 3. 4. 5. 37.Ed.3.23. 28.H.8.14.

Calfe.

7 Whoſoeuer killeth, or cauſeth to be killed any Calfe to be ſold, which is calued betweene the firſt day of January and the firſt day of May, ſhall forfeit vj. s. viij. d. HP. 21.H.8.8.

Coſtes.

8 There ſhall be no coſtes of ſuit awarded to the defendant, where any Action is ſued to the Kings vſe. AB. Dammages 9.

Waynlings.

9 Butchers ſhall kill no Waynlings, vnder two yeares olde, to be ſold. AB. Butchers 2. 1.Iacob.25.

A Crow net.

10 In euery Parith, Towne, and Hamlet, wherein there be x. houſholders inhabiting, there ſhall be prouided a Nette to take Crowes, Rookes, and Choughes. And euery Inhabitant ſhall doe his endeuor to deſtroy them. The reward of him that killeth any of them. HP. 8.Eliz.15.

Pauing of Stretes.

11 The Stréete way betwéene Strond croſſe, and Charing croſſe, ſhall be paued ſufficiently with pauing ſtone, at the charges of the Owners, in fée ſimple, fée taile, or for terme of life, of the lands thereunto adioyning. And whoſoeuer is preſented before the Juſtices of the B. Bench to make default, ſhall forfait to the King for euery yard ſquare vj. d. The Juſt. of the B. Bench may inquire thereof euery Terme, by the oath of xij. men, and make proceſſe againſt the offendors. HR.

Appeales.

12 There ſhall be no Appeales to Rome for any cauſe whatſoeuer. Before which Judges, and in what Courts all Appeales ſhall be ſued. AB. Appeales 1. &c. Whoſoeuer procureth from the Sea of Rome, or any other forrein 25.H.8.19.

forrein Court, any forrein Appeales, Proces, Sentences, &c. shall incurre the forf. of Præmunire made Añ 16. R. 2. AL. 13. Eliz. 2. touching the penaltie.

13 A Repeal of all former Stat. made against excesse of Apparell. What Apparell men of all degrees, vocations, and functions, are allowable, & what prohibited to weare. HP. 1. Iacob. 25. Apparell.

Statutes made at the Session of Parliament holden by *Prorogation at Westminster, 15. die Ianuarij, Anno 25. Hen. 8. & Anno Domini 1533.*

¶ 1 Governors of Cities and Market Townes, vpon complaint to them made of any Butcher, refusing to sell vitaile by waight, according to the Sta. 24. H. 8. 3. may commit the offendor to warde, vntill he hath paied all penalties, And also may sell, or cause to be sold by waight all such vitaile for ready money, to be deliuered to the owner. And if any Grasier, Fermor, Breder, Drouer, &c. refuse to sell his fat Cattell to a Butcher, vpon such reasonable price, as he may retaile it at the price assessed by the same Statute: the Iust. of peace, Maiors, or Governors, shall cause indifferent neyghbors to set the prices of the same. And if the owner refuse to accept the same, then shall they bind him to appeare, & answere the same the nexte Terme, before the K. Councell in the Starre chamber, there to make fine, and to be punished as they shall think good. In deare yeares the King by Proclamation may limit Vitailes to be sold without waight. HP. 33. H. 8. 11. Butchers. Graziers.

2 The prices of Vitailes shall be assessed by the K. Councellors, and Officers, or by Governors of corporat Townes, And they which haue vitailes to sell, must sell them at the prices assessed. Vitailes shall not be transported without the Kings licence. AB. Vitailes 5. 6. 7. 8. Vitailes.

32. H. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 10. 3 He that is indicted of petit Treason, Murder, Burglarie, Burning of houses, Robbery, &c. and doeth stand wilfully mute, or challenge peremptorie aboue xx. persons, or refuseth lawfull triall, or is indicted for any of the same offences in an other County then where the offence was committed, shall not haue the benefit of his Clergie. AB. Clergie 7. 13. Clergie.

4 Only such persons as be Marchant aduenturers to Island for Saltfish, Stockfish, Ling, Haberdine, or Lobfish, Or that be Doggermen, Or such as be Fishermen that actually labour for the taking of the said fish in the East Sea side, or East Sea coast, shall buie any of the kinds of the same fish, at, or vpon the Stone, or at the said East sea side, or East sea coasts, to sell the same againe at any of the Faires of Sturbridge, S. Iues, or Ely. And no person shall buie any of the foresaid kindes of Fish, or any other sort of salt Fish, in either of the foresaid Faires, to be sold againe in the same Faires, but to be eaten there, vpon pain to forf. all the said Fish. But this Act shall not be preiudiciall to any person dwelling by North the ryuer of Humber. HP. 35. H. 8. 7. Sea Fish.

5 The Stat. of 5. H. 8. 4. prohibiting the drie callendring of Worsteds, made perpetuall. No person that dyeth Worsteds, Stamines, or Sayes, shall callender them. AB. Worsteds 3. Worsted

5. Eliz. 17. 6 The committing of Buggerie with Mankind or Beast, shall be Felonie. AB. Felonie 9. Buggery.

7 Whosoeuer shall with any deuise take the Frie of Eeles, called Eele-fares, or Eele-bares in any waters salt, or fresh, Or shall take or destroy by any engine in fludgate, Salmon pike, or at tayle of any Mill, or weare, in any ryuers, Creits, or brookes salt or fresh, the yong Frie of any Salmon, Lakspinks, Smowtes, or Salmon Pele, Or shall by any of the meanes aforesaid, kill or destroy any Salmons, not in season, called kipper Salmons, Destroying of Fish.

mons, within any freſh, or ſalt places, where ſuch Salmons haue naturally their repaire, ſhall forfeit v. li. the fiſh, and his vnlawfull engines. HP.

Pauing of Holborne, & Southwark.

8 The high Stræts in Holborne, betwæne Holborne bridge, & the Barres at the weſt end of the ſaid Stræte, ſhall be paued on both ſides with pauing ſtone, at the charges of the tenants in fee ſimple, fee taile, or for life, of the lands thereunto adioyning, their heires and ſucceſſors. And if the Leſſees doe it, they may defaulke ſo much of their rent. The like order ſhall be obſerued for the pauing of the Strætes in Southwarke. And he that doth not from time to time maintaine the pauement ſufficiently againſt his owne ground, ſhall forfeit to the King for euery yard ſquare not repaired vj. s. HR.

Tynne. Pewter.

9 No perſon ſhall buy, or take by exchange any wares made out of this Realm of Tynne, or mired with Tynne. No Stranger borne ſhal worke any vellell made of Pewter or Tynne within this Realme. No Pewterer ſhal exercile his trade in a forrein Countrie. AB. Pewterers 1. No Pewterer ſhal take a ſtranger borne to be his Apprentice or Journeyman. HP. 5. Eliz. 4. 33.H.8.4. 19.H.7.6. 4.H.8.7.

Sewers.

10 Commiſſioners of Sewers ſhalbe dwelling in the ſame County where &c. he ſhall forfeit v. Markes, which refuſeth to take the oath appointed for the Commiſſioners of Sewers. AB. Sewers 9.10.

Wildfowle.

11 Whoſoeuer ſhall take any Wildfowle with nets, or other engynes, betwæne the laſt day of May, & the laſt day of Auguſt, ſhall be one yeare impriſoned, and forfeit iij. s. for euery fowle. But ſuch as haue xl. s. freehold may hunt, and take Wildfowle with Spanels. HP. 3. Ed. 6. 7. No perſon ſhall deſtroy, or conuey away the egges of any wildfowle, from the neſt. AB. Wildfowle 1.

Elizabeth Barton.

12 Elizabeth Barton of Kent, & others attainted of high Treaſon, for that vnder colour of Hypocriſie, Reuelations, & falſe miracles, practized by the ſaid El. they conſpired to impugne & ſlaunder the denorce betwæne the K. & Q. Katherine his firſt wife, and the laſt mariage betwæne him and Q. Anne his ſecond wife, to deſtroy the K. & to depriue him of his Crowne. HP.

Sheepe. Farmes.

13 No perſon ſhall haue aboue two thouſand Sheepe, but in certaine caſes. AB. Sheepe 3. No perſon ſhall take aboue two Farmes. AF. Farmes 2. 4.H.7.16.

Heretikes.

14 A repeall of the Stat. of 2.H.4.15. Touching the puniſhment of Hereſies: Shiriſes in their Turnes, and Stewardes in their Lætes, Rapes, and wapentakes, ſhall haue authoritie to inquire of Heretikes: and euery preſentment made in any Turne, Læte &c. concerning Heretikes, ſhall be certified to the Ordinarie. Euery perſon preſented or indicted of any Hereſie, or duely accuſed by two lawfull witneſſes, may be cited, arreſted, or taken by any Ordinary, or other of the K. ſubiects, and committed to the Ordinary to anſwere in open Court, & being conuict ſhall abiure his hereſies, & refuſing ſo to doe, or falling into relaps ſhall be burned. No licence ſhall be obtained from the Pope to preach in this Realme. No ſpeaking againſt the Pope, or his authoritie ſhall be accompted Hereſie. Any perſon preſented or indicted of Hereſie may be let to baile by the Ordinarie, or if he refuſe, by two Juſtices of peace. HP. 1. Ed. 6. 12.

Bookes.

15 A repeal of ſo much of the Stat. of 1. R. 3. 9. as doth licence Strangers to bring into this Realme Bookes. No perſon ſhall bring into this Realme Bookes bound to ſell againe: Neyther ſhall buy of any Stranger, Bookes brought from beyond the Sea, but in groſſe. A remedie where the prices of Bookes be vnreaſonablie inhaunced. AB. Bookes 1.2.3.

Reſidence.

16 The Iudges of the K. Bench, & Common Place, the Chauncelor, and chiefe Baron of the Exchequer, the K. Attourney, and Solicitor, may euerie of them haue one Chappleine, hauing one Benefice with cure of Soules, which

which nede not be resident, notwithstanding the Statute of 21. H. 8. 13. AB. Ecclesiasticall &c. 22.

17 Whosoeuer shall shote in any Handgun, or Crosbow, or kepe any in his house, shall forfait x. li. for euery offence, except he hath lands, annuities, or offices to the yearely value of C. li. HP. 33. H. 8. 6. All former Placards made to shote in either of them shall be void. A repeal of all former Statutes touching shoting in either of them. Handgun. Crosbow.

18 No person shall make, or cause to be made within the County of Worcester any Clothes to be sold, but in Worcester, Euesham, Droitwich, Bedermister, and Bromesgraue. AB. Draperie 78. Owners of tenements there shall let them for no more rent, then they were let for xx. yeares before the making of this Act. CB. Clothes made there shall be stretched and sealed. HP. 5. Ed 6. 6. Draperie.

1. Eliz. 1. 19 The Clergie shall not enact, promulge, or execute any constitutions or ordinances, without the Kings assent. AB. Conuocation 2. The King shall 27. H. 8. 15. haue authoritie to assigne xxxij. persons of his Subiects, to examine the Ca- 35. H. 8. 16. nons, and Constitutions prouinciall and sinodall before time made, & such of 2. Ed. 6. 11. them as the King, and the xxxij. or the more part of them shall adiudge worthy to be obeyed, shall be executed, and continued, and the residue shall be abrogated. But no Canons or Constitutions shall be put in execution, which be contrarie to the kings Prerogatiue, or the Lawes or Statutes of this Realme. HP. There shall be no Appeales to Rome, but Appeales shall be from 24. H. 8. 12. the Archbishops Court into the Chancerie. AB. Appeales 5. 7. The Clergie.

1. & 2. P. & M. 8. 20 There shall be no payment of Annates or first Fruits to the Bishop of Rome, by any Archbish. or Bishops. Within what time a Bishop shall be 1. Eliz. 1. chosen after the kings writ of Conge desiier shalbe deliuered vnto the Deane 31. H. 8. 9. and Chapter: And within what time he being chosen, shall be inuested and consecrated. AB. Bishops 1. 2. 3. 4. Annates. Bishops.

1. Eliz. 1. 21 No imposition shalbe paied to the vse of the Bishop of Rome, or his Sea. No person shall sue to the Bishop of Rome for any licence, dispensation, or other instrument: But they shall be granted by the Archbish. of Canterbury, or his Deputie, or Commissarie, for any such causes, whereof they haue ben accustomed to be had in Rome. AB. Dispensation 1. &c. No person shall depart out of this Realme, to or for any assembly for Religion. AB. Conuocation 3. The king by the aduise of his Councel may reforme Indulgences. There shal be no visitation of any Monastery, Colledge, hospital, or religious place by the authority of the Bishop of Rome, but by Cõmission vnder the great seale. CB. Impositions to Rome. Dispẽsations. Indulgences.

35. H. 8. 1. 22 The marriage solemnized betweene the King and the Lady Katherine his wife, before wife to Prince Arthur his brother (being against the Lawes of God) shall be adiudged void, and the seperation thereof good. And euery licence, & dispensation, before made to the contraris, shall be void. And the said Lady Kath. shal be called only Dowger to Prince Arthur, & not Quene. And the Patrimonie solemnized betweene the K. and his wife Qu. Anne, shall be taken for perfect, good, & consonant to the Law of God; and all the children begotten, & to be begotten betweene the King and Q. Anne, shall be the kings lawfull children, & inheritable to the Crowne of this Realme. The Crown of England &c. shall be to the K. & to the heires males by his body, on the body of Q. Anne lawfully begotten &c. And for default of such heires males, then to the heires males by the body of the King lawfully begotten. And for default of such Issue male, then to the Lady Elizabeth, eldest issue female of the bodies of the said King and Q. Anne begotten, and to the heires of her body. And for default of such issue, to the second heire female &c. And so from issue female, to the The Kings marriages. The Crowne intailed.

to iſſue female, as the Crowne of England hath bẽn accuſtomed. And for default of ſuch iſſue, to the right heires of the ſaid king for euer. It ſhalbe high Treaſon to write, or doe any thing tending to the hurt of the Kings perſon, or to the diſturbance of the Title of him, or his foreſaid heires to the Crowne, or to the ſlaundering of his foreſaid Mariage with Qu. Anne. And if any of the K. ſubiects bẽing commanded, ſhall refuſe to take a corporall oath, firmely to obſerue the whole effects of this Act, then he ſhall offend in Miſpriſion of Treaſon. No perſon ſhall Marrie within the degrees prohibited by Gods law. EP. 28. H.8.7. & 1. M.1.

26. H.8.1.

Mariage.

32. H.8.34.

Statutes made at the Seſsion of Parliament holden by Prorogation at *Weſtminſter*, 3. *die Nouemb. Anno* 26. *H.* 8. *& Anno Domini* 1534.

The King head of the Church.

¶ 1 The King, his heires, and ſucceſſors, kings of this Realm, ſhalbe taken and reputed the onely ſupreame head in earth of the Church of England, and ſhall haue aſwell the Title, and ſtile thereof, as all honours, authorities, and commodities to the ſame belonging: and ſhall haue power to reforme all Errors, Hereſies, and abuſes in the ſame. EP. 1. & 2. P. & M. 8.

An oath to the K. and Qu. Anne.

2 The forme of the oth which the Lords Spirituall and Temporall, and the Commons aſſembled in the laſt Seſſion of Parliament did take, and all other the kings ſubiects are, before certaine Commiſſioners, to take, for their faith, and obedience to the King, and the heires of his body begotten of Qu. Anne his wife, according to the ſtatute of 25. H.8.22. EP. 28. H.8.7. & 1. M.1.

First fruits. Teaths.

3 The king ſhall haue the firſt fruits and Teaths of all Promotions ſpirituall within his Dominions (certaine except.) His remedies to recouer them: And the penalties for default of paiment of them. AB. Eccleſiaſticall &c. 24. 25. 28. 29.

2. & 3. P. & M. 4. 1. Eliz. 4.

Periurie in Wales.

4 An Officer ſhall be appointed for the képing of a Jurie in Wales, and the penaltie of the Jurors which vpon trials there, doe commit periurie. AB. Wales 114. 115.

Paſſages vpon Seuerne.

5 No man hauing any paſſage vpon Seuerne ſhall tranſport any offendor into, or forth of Wales, at vnlawfull times. AB. Boatmen 12.

Wales.

6 All perſons reſiant in Wales, or the Lordſhips Marchers, ſhall vpon warning appeare at Courts before the Juſtice, or other officers. A remedie where an Officer there doth impriſon any vpon an vntrue ſurmiſe. No weapons ſhall be brought to Courts, Fayres, or Churches there. No gathering of Commorthes, or procuring of Games there. No perſon ſhal caſt any Arthell there. Inquiry in the Counties adioyning of offences committed within Lordſhips Marchers. Proces awarded againſt offendors. To whom offendors ſhalbe committed. Where Felonies committed in Perioneth ſhalbe determined. AB. Wales 101. &c.

Waies in Suſſex.

7 The Statute made 14. H.8.6. touching altering of waies in the weld of Kent, ſhall take effect, and be put in execution in euery conuenient place within the Countie of Suſſex. HR.

Norwich.

8 The owners of void grounds within the Citie of Norwich, ſhall reedifie them, or incloſe them with walles of morter and ſtone, within two yeares after Proclamation: Or elſe the Maior, Shiriffes, Citizens, and Comminaltie of Norwich may doe it, and retaine it to them and their Succeſſors for euer, diſcharged of all rents, ſo as they reedifie or incloſe the ſame within two yeares, &c. HR.

Lynne.

9 If the owners of decaied meſuages in Lynne, in the county of Norfolke, ſhall

ſhall not reædifie them, or incloſe them with walls of morter and ſtone againſt the rage of the ſea, within one yeare after Proclamation thereof made, by the Maior of Lynne: Then it ſhalbe lawfull to the chiefe Lords of whom the ſaid meſſuages be holden, to enter vpon them, and to retaine them, to them & their heirs for euer: ſo that they repaire them within one yeare after: And if not, thē the Maior and comminaltie of Lynne may enter and enioy them, to them and their ſucceſſors for euer, without any rent paying therfore: ſo that they repaire them within two yeares after. And in default thereof the firſt owner may enter. HR.

Statt repealed by Proct.

10 The king during his life by his Proclamations, to be conteined in letters patents, vnder his great ſeale, and inrolled in the Chancerie may repeale and at his pleaſure againe reuiue the Article of the Statute of 23. H. 8. 7. touching laying on land French wines, betweene Michaelmas, and the Purification: and all other Statutes made ſithence 21. of his raigne, concerning the carrying forth of the commodities of this Realme, or bringing in of forraine merchandizes. EXP.

Affraies by Welſhmen.

11 Whoſoeuer dwelling in Wales, or the Marches thereof, ſhall aſſault, beate, or hurt any perſon of the counties of Glouceſter, Salop, or Hertford, & ſhalbe indicted, and conuict thereof, ſhalbe one yeare impriſoned. EXP.

Sureties by Clerks conuict.

12 Thoſe Clerkes conuict for robberie, or other offences in Wales, which be committed to the Ordinaries priſon, ſhall finde ſuerties for their good abearing, according to the Statute of 23. H. 8. 1. before two Juſtices of peace, (whereof one to be of the Quorum) of the Shire wherein the conuict is kept in the Ordinaries priſon: and if there be no Juſtices of peace in that ſhire where the priſon is, then in the next countie. AL. 28. H. 8. 1.

Treaſons.

1. Ed. 6. 12. 13. Eliz. 1. 14. El. 1.

13 It ſhalbe high Treaſon to wiſh or deſire by wordes, or writing, or to imagine, inuent, or attempt any bodily harme to be done to the King, the Qu. or their heires apparant, or to depriue any of thē of the dignitie, ſtyle, or name, of their royall eſtates, or to publiſh that the King is an Hereticke, Schiſmatike, Tyrant, Infidel, or Vſurper, or to detaine from the King any of his Caſtles, or Holdes, or any of his Shippes, or munitions of warre. EXP. 1. M. 1. No offendor in high Treaſon ſhall haue the benefit of Sanctuarie. Before whom Treaſons committed out of the Realme ſhalbe tried. Outlawrie of an offendor in Treaſon being forth of the Realme. AB. Treaſons 10. 11.

Suffragans.

1. & 2. P. & M. 8. 1. Eliz. 4.

14 There ſhalbe xxvj. ſ. cities, townes, and places, which ſhalbe taken for Seas of the Suffragans of Biſhops. Euery Biſhop willing to haue a Suffragan ſhall elect and nominate to the king two men, who ſhall preſent one of them to the Archbiſhop, and he ſhall conſecrate him. Suffragans ſhall haue no commodie, or authoritie within the Dioces, but ſuch as ſhalbe aſſigned by the Biſhop. CC. And his Reſidence ouer his Dioces ſhall ſerue for the Reſidence vpon his benefice. AB. Eccleſiaſticall 22.

Archdeac. of Richmond.

15 What duties ſpirituall perſons beneficed within the Archdeaconrie of Richmond in Yorkeſhire, ſhall take after the deceaſe of any perſon. AB. Probat. &c. 14.

Worſted weauers.

21. H. 8. 21.

16 The Statute of 14. & 15. H. 8. 3. touching worſted weauers of Yarmouth and Lynne made perpetuall. AB. Worſteds 1. &c.

Fermors of ſpirituall perſons.

1. Eliz. 4.

17 No fermors of ſpirituall perſons ſhall be compelled to pay for their leaſors the firſt fruits or Tenths granted to the king, Notwithſtanding any bargaine, contract, band, rentrie, &c. heretofore made. EXP.

Pardon.

18 The kings generall and free pardon confirmed by authoritie of Parliament: Except &c. EXP.

Statutes

Statutes made at the Seſsion of Parliament holden by Prorogation at *Weſtminſter*, 4. *die Februarij*, *Anno* 27. *H.*8. *& Anno Domini* 1535.

Townes. ¶ 1 A remedie for the repaire of decaied houſes or grounds within the precinct of the Townes of Notingham, Shrewſburie, Ludlowe, Glouceſter, Bridgnorth, Quinborowe, and Northampton. AP. Townes 8.

Forging the K. ſeale. 2 It ſhall be high Treaſon, falſly to forge and counterfeit the Kings ſigne manuall, priuie ſignet, or priuie ſeale. EP. 1.M.1. 1.M.6.

Kingſton vpon Hull. 3 The Maior of Kingſton vpon Hull, and his ſucceſſors, and all officers within the ſame town, ſhall ſuffer the inhabitants of Norfolke, and Suffolke, and of all other places repairing thither with victuall, betweene the feaſts of All ſaints, and the Purification of our Ladie, freely to bring their herrings, and other fiſh to the ſaid towne, and there to ſell the ſame by water or land, by retaile, or in groſſe, to whom, and when they will (within the ſaid time) without any toll, cuſtome, or other compoſition to be taken of the buyer or ſeller of the ſaid fiſh, or of the Shippes, or veſſels wherein the ſame ſhalbe brought, except of euery ſhip with herring or other fiſh beeing xx. Tunne or vnder v. s. And of euery veſſell aboue vj. s. viij. d. And the ſaid Maior, &c. ſhall fauourably intreate the ſaid inhabitants repairing to the ſaid towne with fiſh, without ſearching, or ſetting of vnlawfull prices, or without wilful delay of ſearching, or ſetting of prices. And if the Maior or any officer in Hull, doeth exact more then is due, or doth offend in any point contrarie to this Statute: Then vpon complaint to the Kings Councell the offendor ſhalbe adiudged by them or three of them (whereof the Lord Chancellor ſhall bee one) to paie to the King & partie griued xx. l. No perſon ſhall ſell fiſh in Hull by retaile but free Burgeſſes of the ſame towne. AL. 33. H.8.33.

Hull.

Pirates. 4 The triall, order, and puniſhment of Pirates, or robbers on the Sea. 28.H.8.15

Juſtices in Wales. 5 The Lord Chancellor of England, or Lord Keeper, &c. ſhall haue authoritie to appoint vnder the great ſeale, Juſtices of peace, J. of Quorum, and J. of Gaole deliuerie, in the Counties of Cheſter, Flint, Angleſey, Cairnaruan, Merioneth, Kardigan, Kairmarthen, Pembroke, and Glamorgan, which ſhal haue power to inquire, heare, and determine, as other Juſtices in England haue. Into what courts or places, the eſtreits, iſſues, fines and amerciaments forfeited before the ſaid Juſtices ſhall bee certified. AL. 34.H.8. AB. Wales 30. 35.

Mares. 6 Owners, and farmers of parkes, ſhall kepe breeding Mares, which ſhall not be couered with horſes of ſmall ſtature, or value. AB. Horſes 1. 2.

Exactions in Wales. 7 All vnlawfull cuſtomes for the taking of vnreaſonable exactions in forrests in Wales ſhalbe determined. AB. Wales 112.

Deduction of the Tenth. 8 The tenth of each ſpirituall promotion ſhalbe deducted to euery Eccleſiaſticall perſon, the firſt yeare wherein he paieth his firſt fruits. A remedie for the ſucceſſor of an Incumbent which ſhall bee charged to pay to the King any ſumme of money due for the Tenth, in the time of his predeceſſor, AB. Eccleſiaſticall &c. 26. 1.Eliz.4.

Butchers. 9 The Statute of 24.H.8.3.25, H.8.1. & 24.H.8.7. touching Butchers ſelling of fleſh, &c. ſhalbe in ſuſpence, and not put in execution during a certain time. EP.

Vſes. 10 Such perſons ſhall bee in lawfull poſſeſſion and ſeiſin of lands, which haue the vſe thereof. Land aſſured to the vſe, that a Rent ſhould bee paied out of the ſame. AB. Vſes 1. &c. A woman ſhall not haue both

Join-

Iointure and Dower out of the Husbands lands: But if the Iointure be made after marriage, shee may chuse which shee will take. AB. Dower 4.5.6. Iointure. Dower.

11 The course and maner of suing forth, and proceeding, with those gifts, grants, and writings, which shall be made vnder the Kings signe manuell, and the fees of the Clerkes of the Signet, and priuie Seale. AB. Clerke of the signet &c. 1. &c. Clerkes of the signet.

12 Euery Clothier shall weaue his marke in each cloth and kersie made to be sold, and also shall set his seale of lead to euery such Cloth, wherein shall be contained the length thereof. When the Aulneger shall set his seale to Clothes. The breadth of euery broad cloth and kersie. The buyer of any cloth so marked and sealed, shall not draw or stretch it, vpon paine of forfeiture of the double value thereof. HP. 5. Ed. 6. 6. Clothiers. 33. H. 8. 18.

13 Of what value Cloth carried ouer the Sea may bee. AB. Draperie 98. Clothes. 7. Ed. 4. 3. 3. H. 7. 11.

14 Leather to be carried beyond the Sea shal be told, and packed by a man thereunto sworne, and appointed by the Customers and Controllers of the Port or Hauen, where the same shal be shipped. How much euery teller shall haue for telling of a Dicker. A packe of Leather shall containe as many Dickers vnder vij. as it shal please the owner. A Stranger conueying Leather from one Port to an other, shall cause the same to be told, and customed in the first Port, and a certificat to be made of the number and quantitie of the Dickers. None hauing a Tanhouse shall transport Tanned leather, vpon paine of forfeiture thereof, or the value. AL. 18. Eliz. 8. Leather. 33. H. 8. 19.

15 The King shall haue authoritie to name xxtie. persons, viz. sixteene Spirituall, and sixteene Temporall, to examine the Canons and Constitutions heretofore made according to the Statute of 25. H. 8. 19. HP. 1. & 2. P. & M. 8. Canons examined. 35. H. 8. 16. 3. Ed. 6. 11.

16 Inrolment of Bargaines and Sales of lands, and the fees for Inrolments in the Countie. AB. Inrolment 1. &c. Inrolment.

17 A Seruant attainted for imbezelling his Maisters casket, iewels, money, goods, or cattels to the value of xl. s. or aboue, shall lose the benefit of Clergie, and Sanctuarie, and be put in execution. HP. 1. M. 1. Seruant. 21. H. 8. 7. 5. Eliz. 10.

18 If any person doe procure any thing to be done to the annoyance of the Riuer of Thamise, by making of shelfes, by myning, digging casting of dung, or rubbish into the same ryuer: Or conney away any boards, stakes, pillars, or timber-workes from the bankes or walles, except it be to repayre the same againe: Or doe dig or vndermyne any bankes or walles on the water side to the impayring of them, he shall forfeit v. li. to the King and Maior of London. Balasting of ships shall be taken of grauell and sand of the shelfes. HR. Annoyance of Thamise.

19 Sanctuary persons shall weare badges, but no weapons. They shall not go abroad before Sunne rising, nor after the setting thereof. They shall not resist their Gouernors. Their Gouernors shall determine contracts of debt, trespasses, and couenant betweene persons in Sanctuarie vnder xl. s. HP. 1. Iac. 25. Sanctuarie persons.

20 Tithes shall be set forth or paied according to the custome of the Parish where they shall be due. The remedie to recouer Tithes withholden. AB. Tithes 20. 22. Tithes. 32. H. 8. 7. 2. Ed. 6. 13.

21 An order for the payment of Tithes, within the Citie, and Suburbes of London, according to a Proclamation before made. AL. 37. H. 8. 12. Tithes in London.

22 The King shall haue the moitie of the profit of those lands already conuerted from Tillage to Pasture, sithence three yeares before 4. H. 7. vntill Husbandry. 4. H. 7. 19. 7. H. 8. 1. 5. Ed. 6. 5.

vntill the owner hath builded vp a conuenient house to inhabite, and conuerted the same pasture to tillage againe: and also shall take the moitie of the issues of those lands hereafter to be conuerted, if the immediate Lord doe it not within one yeare. But this Act extendeth onely to the Counties of Lincolne, Nottingham, Leicester, Warwicke, Rutland, Northampton, Bedford, Buckingham, Oxford, Berks, the Isle of Wight, Worcester, Hertford, and Cambridge. EP. 39. Eliz. 1.

Hauens. 23 An alteration of the penaltie, and of the persons to whom the moitie thereof is giuen, limited by the statute of 23. H. 8. 8. prouided for the preseruation of Ports and Hauens in Cornwall and Deuonshire. AB. Haucns 4.

The K. Prerogatiues. 24 No person shal haue authoritie to pardon Treasons, Felonies, or Outlawries, or to make Iustices in Eire, of Assise, of Peace, or Gaole deliuerie, but the king. All writs and indictments shalbe made in his name. Hee shall haue all fines and forfeitures assessed vpon any officers of franchises, for not execution, or insufficient returnes of writs. The kings preheminence in his purueiors, Clerke of the market, &c. AB. Prerogatiue 17. 18. 19. 20. Franchises 1. &c. Purueiors 23.

Poore. 25 All Gouernors of cities, shires, townes, hundreds, hamlets, and parishes, shall succour, finde, and keepe, euery aged, poore, and impotent person, which was borne, or dwelt three yeares within the same limits, by way of voluntarie and charitable almes, in euery of the same cities, and parishes &c. with such conuenient almes, as shall be thought meete by their discretions, so as none of them shalbe compelled to goe openly in begging: And also shal compell euery sturdie vagabond to be kept in continuall labour, in such sort, as he may get his liuing by his owne labour. Children vnder viij. yeares of age, and aboue v. that liue in idlenesse, and be taken begging, may be put to seruice by the Gouernors of cities, townes, &c. to husbandrie, or other crafts, or labours. A valiant begger or sturdie vagabond shall at the first time be whipped, and sent to the place where he was borne, or last dwelt by the space of three yeares, there to get his liuing by his labour. And if he cõtinue his roguish life, he shall haue the vpper part of the grissle of his right Eare cut off. And if after that he be taken wandring in idlenesse, or doeth not applie his labour, or is not in seruice with any master, he shalbe adiudged and executed as a felon. No persõ shall make any common or open dole, nor shall giue any money in almes, but to the common boxes, and common gatherings in euery parish, vpon paine to forfeit ten times so much as shal be giuen. There shal be no playing at vnlawfull games. EP. 22. H. 8. 12. 39. El. 4.

Vagabond.

Doles.

Games.

Wales. 26 The Dominions of Wales shall bee incorporated, and annexed to the Realme of England: And the lawes and statutes of England shalbe executed in Wales. Diuers Lordships Marchers annexed to seueral counties in England and Wales. AB. Wales 1. &c. 34. H. 8.

Court of Augmentations. 27 The court of Augmentations of the Reuenewes of the Kings crowne, shalbe a court of Record, and shall haue a great Seale, & priuie Seale: of which court shalbe officers, The Chancellor, the Treasurer, the Atturney, the Solicitor, tenne Auditors, seuentéene particuler Receiuers, a Clerke, an Vsher, and a Messenger. Their seuerall othes, and duties. All Monasterie and Religious houses, and landes which haue come, or hereafter shall come vnto the Kings handes, and all landes which he hath purchased, or hereafter shall purchase, shall bee within the suruey and gouernance of the saide Court. AL. 1. M. 10. A Tenure in Capite by Knights seruice, and an yeerely Rente of the Tenth part shall bee reserued vpon all the grants 7. Ed. 6. 2. 35. H. 8. 14. 37. H. 8. 20. 7. Ed. 6. 3.

grants in fée ſimple made by the king of any of the ſaid religious lands, vnder the great Seale of England. AB. Tenure 6.

Statutes made at the Parliament begun and holden *at Weſtminſter 8. die Iunij, Anno 28. H. 8. & Anno Domini 1536.*

¶ 1 The Statute of 22. H. 8. 14. 23. H. 8. 1. & 25. H. 8. 3. & 6. continued vntill the laſt day of the nert parliament. Such as be within holy orders, ſhall 32. H. 8. 3. be vnder the ſame paines and dangers for their offences, as other perſons bæing not within holy orders. AB. Clergie 16. Clergie.

2 The ſtat. of 21. H. 8. 7. & 27. H. 8. 17. touching ſeruants imbeciling their maſters goods, made perpetuall. HP. 1. E. 6. 12. Seruants.

4 Authoritie giuen to the king by writing vnder the great ſeale, newly to alot the towns in the Shires and Marches of Wales, and to name the Shire townes at any time within thrée yeres, notwithſtanding the ſtat. of 27. H. 8. 26. made to that effect. HP. Wales.

4 A repeale of the ſtatute of 21. H. 8. 14. touching the length and breadth of Dowlas and Lockrams to be brought into this realm. The contents of Dowlas and Lockram. AB. Linnen &c. 1. Dowlas. Lockram.

22. H. 8. 4. 5 No prentice or Iorneyman ſhall be reſtrained by othe or bond to kéepe houſe or ſhop. The fées for entrie of an apprentice and freéman. AB. Corporations 3. 4. Prentiſes. Iorneymen.

6 The ſtatute of 22. H. 8. 12. touching impotent beggers, and vagabonds, and of 26. H. 8. 7. concerning carrying of horſes forth of this Realme, and of 26. H. 8. 11. touching Welſhmen making aſſaults or affrayes vpon &c. and of 25. H. 8. 6. againſt the vice of Buggerie, continued vntill the laſt day of the nert Parliament. Statutes continued.

7 A repeale of the ſtatute of 25. H. 8. 22. & 26. H. 8. 2. ordained for the eſtabliſhment of the ſucceſſion of the Crowne of England, and of an othe to bæ taken for the performance thereof. A pardon graunted to all thoſe which haue ſpoken, done, practiſed, or attempted by words, writings, or exterior acts, any thing againſt the marriage betwéene the King and Quéene Anne Boleyn his late wife, or for the ſetting forth of the diuorce thereof: Or againſt the ſaid Quéene Anne or the Ladie Elizabeth her daughter, or to any of their ſlaunders, perils, or diſhonors: Or haue wiſhed, willed, deſired, inuented, or practiſed, any bodily harme to the ſaid Quéene Anne, or Ladie Elizabeth, or to depriue them, or either of them, of the dignitie, title, or name of their royall eſtates. The ſaid Quéene Anne Bolein, and G. B. H. N. F. W. W. B. and M. S. her complices, attainted of high Treaſon. The marriage ſolemnized betwéene the King and the Ladie Katherine Princeſſe Dowager deceaſed, wife to Prince Arthure deceaſed, ſhall bæ adiudged voide, and the ſeperation thereof good: and the iſſue borne vnder the ſame marriage ſhall be illegitimat, and barred to claime any inheritance as lawfull heire to the King by lineall diſcent. And the marriage betwéene the King and Quéene Anne Boleyne (which was neuer good, nor conſonant to the law, but vtterly voyde and of none effect) ſhal bæ adiudged of no force, and the ſeperation and diuorce therof by the Archbiſhops ſentence ſhall bæ good. And all the children borne vnder the ſame marriage, ſhall be taken and reputed illegitimat, to all intents, and vtterly excluded to challenge any inheritance as lawful heire to the king. And if any perſõ by writing, words, printing, or other exterior act, ſhall take, iudge, or beléeue either of the ſaid marriages ſolemnized betwéene the king and the

I repeale. I pardon. Quéen Anne attainted of Treaſon. Ladie Marie. L. Elizabeth.

foꝛeſaid Ladie Katherine, oꝛ Ladie Anne, to be good oꝛ lawfull: Oꝛ ſhall take, accept, name, oꝛ call any of the childꝛen boꝛne vnder either of the ſaid marriages, to be legitimat, and the Kings lawfull childꝛen, then he ſhall bee adiudged a high traitoꝛ. The Crowne of England ſhall bee to the King, and the firſt ſon begotten betweene him and Queene Jane his wife, and to the heires of the bodie of the ſaid firſt ſonne lawfully begotten, &c. And if Queene Jane die without iſſue male, then to the ſonne and heire male of the kings body lawfully begotten by any other wife. And foꝛ default of ſuch heires, to the iſſue female of the kings bodie lawfully begotten, viz. to the eldeſt iſſue female &c. And foꝛ default of all ſuch heires, then to ſuch perſon oꝛ perſons in poſſeſſion and remainder, as the King by his letters patents vnder the great Seale, oꝛ by his laſt will in wꝛiting, ſigned with his hand ſhall aſſigne, and limit the ſame. Euerie perſon vpon the kings commandement, ſhal take an othe foꝛ the peꝛfoꝛmance of this Act, and of all things that ſhalbe done by the king, and by the authoꝛitie thereof. And he that refuſeth to take the ſaid othe, ſhalbe adiudged a traitoꝛ. And in caſe any other othe hath beene made by any perſon, he ſhall repute the ſame as vaine and annihilate. No perſon ſhall marrie within the degrees pꝛohibited by the lawes of God. AL. 35. H. 8. 1. EP. 1. M. 1.

The Crowne entailed.

In othe.

1. & 2. P. & M. 8.

Continuance of Statutes

8 The Stat. of 21. H. 8. 10. & 21. H. 8. 12. & 23. H. 8. 17. & 24. H. 8. 9. continued to the laſt day of the next Parliament. EXP.

Continuance of Statutes

9 The Stat. of 23. H. 8. 3. & 23. H. 8. 2. & 25. H. 8. 9. & 24. H. 9. 4. continued to the laſt day of the next Parliament. EXP.

Biſhop of Rome.

10 If any perſon ſhal ertoll, oꝛ defend the authoꝛitie of the biſhop of Rome oꝛ of his See, heretofoꝛe vſed within this realme, he ſhal incurre the penalties pꝛouided by the Statute of Pꝛemunire, made An 16. R. 2. Euery Eccleſiaſticall & lay officer, befoꝛe he take vpon him the execution of his office, ſhall bee ſwoꝛne to renounce the ſaid biſhop, & his authoꝛitie, & to reſiſt it to his power, & to repute any foꝛmer oth by him taken, in maintenãce of ẏ ſaid biſhop oꝛ his authoꝛitie to be void. And the refuſing of the ſaid oth being tendꝛed, ſhall bee adiudged high treaſon. EP. 1. & 2. P. & M. 8.

5. El. 1. 13. El. 2.

The fruits of a benefice.

11 The fruits taken during the vacation of a benefice, ſhal be reſtoꝛed to ẏ nert Incumbent, whoſe charge to ẏ king foꝛ firſt fruits, & benefit of the liuing, ſhal begin from ẏ firſt vacation. AB. Eccleſiaſticall &c. 24. 30. If a ſpiritual mã that doth demiſe his benefice to a lay perſon by wꝛiting, ſhal ſurrender ẏ ſame the leſſee ſhal enioy his leaſe foꝛ vi. yeres, if the leſſoꝛ doe ſo long liue: But if ẏ leſſoꝛ die, then foꝛ one yere only, and yet the ſucceſſoꝛ ſhall haue the houſe, and glebe land not ſowen, vppon a monthes warning. EP. 1. & 2. P. & M. 17. An Incumbent may bequeath the croppe of his Glebe beeing ſowen. AB. Wils 21.

1. El. 4.

Leaſe of a benefice.

K. palace at Weſtminſter.

12 The limits and bounds of the kings new place at Weſtminſter, which ſhal haue within ẏ pꝛecincts theꝛof, ſuch pꝛiuiledges, pꝛeꝛogatiues, & iuriſdictions, as to the K. ancient palaces haue heretofoꝛe of right belonged. HR.

Reſidence.

13 Which ſpirituall perſons may be diſcharged of reſidence vpon their benefices. and foꝛ what cauſes. AB. Eccleſiaſticall &c. 22.

21. H. 8. 13.

Wines.

14 The pꝛices of the butte, tonne, & pipe, &c. of wines to be ſolde in groſſe, ſhall be aſſeſſed by ẏ L. Chauncelloꝛ, Treaſurer, &c. Each veſſel of wine ſhal be gauged, & what ſhall be the contents thereof. AB. 1. 2. 13. 14. No perſon ſhal ſel Gaſcoigne, Guian, oꝛ French wine, aboue viij. d. the galon, j. d. the pint, &c. vpon paine to foꝛfeit foꝛ euerie pint ſold aboue, iiij. d. &c. No Palmeſies Romneies, Sacks, oꝛ other ſweete wines, ſhall be ſold by retaile aboue vj. d. the galon vpon paine to foꝛfeit iij. s. iiij. d. foꝛ euerie galon ſold aboue. S. 7. Ed. 6. 5. & 5. Eliz. 5. & 1. Iacob. 25. Q.

27. Ed. 3. 8. 18. H. 6. 17 1. R. 3. 13.

15 The

27.H.8.4. 15 The triall, ordring, and punishment of pirats and robbers on the Sea. Pirats.
AB. Pirats 1.

1.& 2.P. & M.8. 1.Eliz.1 16 All Bulls, Breues, faculties, and dispensations, heretofore obtained of the bishop of Rome, or any of his predecessors, to any subiect of this realme, shall be void, and shall neuer bee pleaded, or allowed in any place or Court of this Realme. But if it shall appeare to such persons as the King shal appoint, that the effect of the said Bulls, &c. or any part thereof may be granted by the Archbishop of Canterburie: Then vpon suite made by any of the Kings Subiects, hee shall haue the effect thereof graunted vnder the great Seale of England, paying for the Seale thereof xx.s. iiij.d for the writing iij.s.iiij.d. and for the examination iij.s.iiij.d. And euerie such licence, confirmation, writing, &c. shalbe good and effectuall to the parties suing for the same, and shal be allowed in all Courts and places of this Realme. Q. for the continuance and vse hereof. Bulles from Rome.

17 If the Crowne of this Realme after the Kings death shall discend or come to any person being within the age of twentie foure yeares, and any Act of Parliament shall bee made before such person shall bee of the full age of twentie foure yeares, then such person being possessed of the Crowne, shall haue authoritie after his said age of twentie foure yeares, by his Letters Patents, vnder the great Seale, to repeale all and euerie such Acts. HP. 1. Edw. 6. 11. Statutes in the kings minoritie.

18 Whosoeuer shal marie any of the kings children, being lawfully born, or otherwise commonly taken for his children, or any of the kings sisters, or aunts of the part of the father, or any the lawfull children of the kings brethren or sisters, or contract marriage with any of them, without the kings licence vnder the great Seale: or defile, or deflowre any of them, not being maried, he shalbe adiudged a traitor. HP. 1.E.6.12. 1.M.1. Mariage in the Kings blood.

Statutes made at the Parliament begun and holden at Westminster 28.die Aprilis, Anno 31.H.8. & Anno Domini 1539.

¶ 1 Iointenants, and tenants in common are compellable to make partition by writ. And euerie of them shall haue aide of other. AB. Partition 2.3. Partition.

2 All fishing with nets, hookes, or baits, in euerie seuerall pond, stewe, or mote, with intent to steale the fish, from the houre of fiue in the euentide, vntill fiue in the morning: and the vnlawfull breaking of the head of any seuerall pond, stewe, or mote, by day or night, without colour of title, wherby any fish shall bee taken or destroied against the owners will, shall bee felonie. HP. 1.Ed.6.12. And hee that fisheth in any pond &c. at any other time then is aforesaid, shall bee three monthes imprisoned, and then finde suretie for his good abearing, or els remaine in prison vntill &c. AL. 5. Eliz. 21. Vnlawfull fishing.

3 All the Mannors, Lands, Tenements, and Hereditaments, lying within the countie of Kent, of which Thomas Lord Cromwell, Thomas Lord Burgh, &c. viz. 34. persons, bee seised to their owne vses in fee simple, or fee taile, being of the nature of Gauelkinde, and which heretofore haue beene departiable between heires males, shall hereafter be changed from the same custome, tenure, and nature, and shall discend and come according to the common law. HR. Gauelkinde in Kent.

4 It shall be lawfull to the Maior, Bailiffe, and comminaltie of the citie of Exeter The riuer Exe.

Exeter and their ſucceſſors, to plucke downe, moine, breake, banke, and caſt vp all weares, rockes, ſands, grauels, and other lets in the riuer of Exe, and in all other places and grounds conuenient, and neceſſarie for the ſame, whoſe ſoeuer they be, betweene the ſaid citie and the high ſea, and to doe and make all other things requiſite, whereby Shippes, Boates, and veſſels may haue their ſure courſe and recourſe in the ſaid riuer, to and from the ſaid citie, the ſaid Maior and Bailifes &c. making recompence to the owners and farmers of the ſoyle where ſuch digging ſhall bee: for the which recompence the ſaid owners or farmers greeued ſhall haue an action of debt againſt the ſaid Maior &c. HR.

Hampton Court.

5 The Manno^r of Hampton Court, with diuers Lordſhips, lands and tenements thereunto vnited, ſhall be called the honour of Hampton Court. And the king ſhall haue therein a chaſe, and free chaſe, and warreine for all beaſts of venerie, and fowles of warreine, which ſhall bee named Hampton Court Chaſe. And all offendors in the ſame chaſe ſhall incurre ſuch penalties, as the like offendors do in any other foreſt or chaſe. Any the ſaid Honour and chaſe of Hampton Court, and all the manors and lands within the ſame, ſhall be in the ſurney and gouernance of the Court of Augmentations. HR.

Religious perſons.

6 Religious perſons profeſſed, ſhall bee enabled to inherite, purchaſe, ſue, and to bee ſued. AB. Abilitie 3. But they ſhall bee excluded from mariage. 5.Ed.6.13.

Statutes continued.

7 Certaine Statutes made Anñ 21.22.23.24.25.26.27. H.8. continued vntill the laſt day of the nert Parliament. EXP.

Proclamatiõ as a ſtatute.

8 The King for the time being, with the aduice of his Counſel, or the more part of them, may ſet forth Proclamations vnder ſuch penalties and paines, as to him and them ſhall ſeeme neceſſarie, which ſhall bee obſerued as though they were made by Act of Parliament. But this ſhall not bee preiudiciall to any perſons inheritances, offices, liberties, goods, cattels, or life. And whoſoeuer ſhall wilfully offend any article contained in the ſaid Proclamation, ſhall pay ſuch forfeitures, or bee ſo long time impriſoned, as ſhall bee expreſſed in the ſaid Proclamation. And if any offending will depart the Realme, to the intent he will not anſwere his ſaid offence, hee ſhall bee adiudged a Traytor. EXP. 1. Ed. 6. 12. 34.H.8.23

Biſhops and their Seas.

9 The King ſhall haue authoritie from time to time, to nominat by his letters patents, ſuch number of Biſhops, ſuch number of cities Seas for Biſhops, Cathedrall Churches, and Dioceſes, by metes and bounds, for the exercise of their Epiſcopall offices as ſhall appertaine: and to endow them with ſuch poſſeſſions as hee ſhall thinke conuenient, and to make Tranſlations, Ordinances, and Statutes concerning them. EXP. 1. & 2. Ph. & Ma. 8. 25.H.8.20 8.Eliz.1

Places in Parliament.

10 An order how all the Lords Spirituall and temporall ſhall bee placed in the Parliament houſe, at arraignements, in the Star Chamber, and other aſſemblies and conferences of counſell. viz. Firſt T. L. Cromwell the Kings Vicegerent in Eccleſiaſticall iuriſdiction, ſhall ſit on the right ſide of the Parliament chamber. And then nert him the Archbiſhop of Canterbury, &c. Yorke, London, Dureſme, Wincheſter, &c. HR.

Townes in Wales.

11 The authority giuen to the King by the Statute of 28. H.8.3. to allot the townes in the counties and Marches of Wales, continued for three yeares more. EXP.

The kings Hawkes.

12 If any perſon ſhall vnlawfully take, or cauſe to bee taken any egge of any Fawcon, Goſhawke, Laner, or Laneret, or the birdes of any of them out of the neſt &c. within any of the Kings lands: Or ſhall finde and take

11.H.7.17. take vp any Fawkon, Gerfawkon, Jerkin, or Sacer, or Saceret, Goshawk, Laner, or Laneret of the Kings, and hauing on it the Kings armes ond veruiles, and do not within twelue dayes bring or send the same to the Maister of the Kings Hawkes, or to one of his Fawkoners, or to the Sherife of the same shire: Or betweene the rising of the Sunne and the setting of the same, with his face hid or couered with hood, or visor, or painted, or disguised, to the intent hee would not bee knowne, shal enter into any Forrest, Chase, or Parke of the Kings, Quéenes, Princes, or any of the Kings children, or into any other ground of either of theirs, inclosed with wall, or pale, or dained for the keeping of Déere, to the intent to steale any of them, and by stealth take any of them, or driue any of them forth of the same Forrest &c Or at any time of the day with his face hid or disguised, kill any Conies, or Rabbets within any ground béeing the lawfull Warreine of the King, Quéene, Prince, &c. Or within any of his or their Parkes: Or shal in the night betweene the Sunne going down and rising, enter into any Parke, Chase, Forrest, &c. of the kings, Quéenes, or Princes, &c. to the intent to steale any Déere: Or into his or their Warreine to kill and steale any Conies, hee shall bee adiudged a Felon. HP.1.Ed.6.12. Hunting in the kings Parkes.

13 The King shall haue to him his heyres and successors for euer, all the Monasteries, and other religious and Ecclesiasticall houses and places, which be heretofore, or hereafter shall be surrendred, dissolued, relinquished, forfeited or by any meanes come to his hands: And all their Scites, Circuits, Mannors, Lands, Tenements, and Hereditaments. Leases of Abbey lands not vsually let, Leases in Reuersion, and Leases not reseruing the olde Rent, or Woodsales made within a yeare before the dissolution, shall bee voyde. Assurances of Abbey lands without the Kings licence: Leases allowed and inrolled in the Court of Augmentations. All Abbey lands shall bee within the survey and gouernment of the Court of Augmentations. AP. Monasteries 7.&c. Monasteries

35.H.8.,2. 14 (1) If any person by word, writing, printing, ciphering, or any otherwise, doe preach, teach, dispute, or hold opinion, that in the blessed Sacrament of the Altar, vnder forme of bread and wine (after the consecration thereof) there is not present really the naturall bodie and bloud of our Sauiour Iesus Christ, conceiued of the Virgine Marie: Or that after the said consecration there remaineth any substance of Bread or Wine, or any other substance, but the substance of Christ, God and man: Or that in the flesh vnder forme of Bread, is not the verie bloud of Christ: Or that with the bloud vnder the forme of Wine, is not the verie flesh of Christ, as well apart, as though they were both together: Or affirme the said Sacrament to bee of other substance then is aforesaid: Or depraue the said blessed Sacrament: then hee shall be adiudged an heretike, and suffer death by burning, and shall forfeit to the King all his lands, tenements, hereditaments, goods, and cattels, as in case of High Treason. (2) And if any person preach in any Sermon, or collation openly made, or teach in any common Schoole, or congregation, or obstinately affirme or defend, that the Communion of the blessed Sacrament in both kinds is necessarie for the health of mans Soule, or ought, or should bee ministred in both kinds: Or that it is necessarie to bee receiued by any person (other then by Priests béeing at Masse, and consecrating the same.) (3) Or that any man after the Order of Priesthood receiued may marrie, or contract matrimonie. (4) Or that any man or woman which aduisedly hath vowed or professed, or should vow or professe The six articles.

chaſtitie, or widowhood may marrie, or contract marriage. (5) Or that priuat Maſſes be not lawfull, or not laudable, or ſhould not bee vſed, or bee not agreeable to the lawes of God. (6) Or that auricular confeſſion is not expedient and neceſſarie to be vſed in the Church of God, hee ſhall bee adiudged, ſuffer death, and forfeit lands and goods as a felon. If any Prieſt, or other man or woman, which aduiſedly hath vowed chaſtitie, or widowhood, do actually marrie, or contract matrimonie with another: Or any man which is, or hath beene a Prieſt, do carnally vſe any woman, to whom he is, or hath beene married, or with whom he hath contracted matrimonie, or openly bee conuerſant or familier with any ſuch woman: both the man and woman ſhall be adiudged felons. Commiſſions ſhalbe awarded to the biſhop of the Dioceſſe, his Chauncelor, Commiſſarie, and others, to inquire of the hereſies, felonies, and offences aforeſaid. MP. 1. E. 6. 12. 32.H.8.10. 32.H.8.15

Statutes made at the Parliament begun and holden *at Weſtminſter 28. die Aprilis, Anno 32. H. 8. & Anno Domini 1540.*

Wills. ¶ 1 In what caſes any perſon may diſpoſe and deuiſe by his laſt will in writing, or by any lawfull Act executed in his life time, all his lands, and in what, but part thereof. And in what caſes the King and other Lords ſhal haue their wardſhips, primer ſeiſin, reliefe, fines for alienation, &c. AB. Wils 1. &c. Wardes 25. 34.H.8.5.

Limitation. 2 A limitation of preſcription, & within what time any perſon ſhall bring his writ of Right, poſſeſſarie action, Auowrie, Formedon, Scire facias, &c. AB. Limitation 1.

Burned in the hand. 3 The Statute of 22. H. 8. 14. 23. H. 8. 1. 25. H. 8. 3. & 28. H. 8. 1. made perpetuall. Thoſe perſons being within holy orders, which by the law may haue their clergie for felony, ſhall be burned in the hand, as lay perſons ought to bee. AB. Clergie 16.

Triall. 4 Where Treaſons ſhall bee tried that bee committed in Wales, or the Marches thereof, or where the Kings writ runneth not. AB. Treaſon 12.

Reextent. 5 A remedie for the cogniſee, or obligee, where lands deliuered vnto him in execution be recouered from him. AB. Execution 3.

wardens Court. 6 The Wardens of the Eaſt and Weſt, & middle Marches toward Scotland, in their Warden courts, may heare and determine all felonious acts committed, contrarie to the Statute of 23. H. 8. 16. touching ſelling of horſes into Scotland. Q. 1.El.7.

Tithes. 7 Tithes ſhalbe paid according to the cuſtome of the pariſh where they bee due. A remedie for him from whom they be detained. His penaltie which refuſeth to pay after ſentence giuen. Recouerie & conueiance of tithes in a temporall court. Coſts awarded vpon an Appeale. AB. Tithes 20. 21. 22. 23. 24. 27.H.8.20. 2.Ed.6.13.

Feaſants. Partridges. 8 Whoſoeuer ſhall ſell or buy any feſant or partridge, (ſauing the officers of the Kings, Queenes, or Princes houſes) ſhal forfeit for euerie feaſant vj. s. viij. d. and for euerie partridge iij. s. iij. d. AL. 1. Iac. 27.

Maintenance 9 No perſon ſhall ſell or buy any right, or title, or maintaine, or procure maintenance in any ſuit. AB. Maintenance 4. 7. 8. 9.

Incontinency 10 A repeal of the puniſhment by death, of prieſts, & of women offending by incontinencie with them, limited by the ſtat. of 31. H. 8. 14. A prieſt offending by

by incontinencie, ſhall the firſt time forfeit to the King all his goods, chattels, debts, and all his ſpirituall Promotions, ſauing one. And being the ſecond time conuict, he ſhall forfeit all his goods, chattels, debts, and the iſſues and profites of all his Lands, Benefices, and Promotions. And being the third time conuict, ſhall forfeit all his Goods, Debts, Lands, Benefices, &c. and bee impriſoned during his life. And the woman beeing ſole and vnmarried, with whom hee ſhall offend, ſhall the firſt time ſhee is conuict, forfeit all her goods, chattels, and debts: The ſecond time the moitie of the iſſues and profites of all her lands during her life: And the third time the whole iſſues and profites of all her lands &c. and ſhall be impriſoned during her life. HP. 1.Edw.6.12.

11.H.7.17. 11 It ſhall be felonie to take, or cauſe to be taken, the Egge or Egges of any Faulcon, Goſhawke, or Lanard, or their Birds out of their neſtes: Or with vizards or painted faces, or otherwiſe diſguiſed, to the intent he would not bee knowne to ſteale Deere or Conies in the day time in a lawfull Parke or Warren: Or to ſteale Deere or Conies in the night there. HP. 1.Edw.6.12. *Hawkes. Deere. Conies.*

12 All Sanctuaries, and places priuiledged, which haue beene vſed for Sanctuarie, ſhall be vtterly extinguiſhed, except Pariſh Churches, and their Churchyards, Cathedrall Churches, Hoſpitals, and Churches Collegiat, and all Chappels dedicated, vſed as Pariſh Churches, and the Sanctuaries to euery of them belonging, and Wels in the Countie of Somerſet, Weſtminſter, Manchester, Northampton, Norwich, Yorke, Darby, and Launceſton. None of the ſaid places ſhall giue immunitie or defence to any perſon which ſhall commit wilfull Murder, Rape, Burglarie, Robberie in the high way, or in any houſe, or in any Church or Chappell, or which ſhall burne wilfully any Houſe or Barne with Corne. He that taketh Sanctuarie in any Church, Churchyard, &c. may remaine there fortie dayes, as hath beene vſed, vnleſſe the Coroner repaire to him to take his Abiuration. In which caſe he ſhall abiure to any of the foreſaid priuiledged places, not being full of the number appointed to them, viz. aboue twentie perſons, there to remaine during his life. If a priuiledged perſon, daily called to appeare before the Gouernour, ſhall make default three daies: or if he commit any felonie, he ſhal loſe the benefit of Sanctuarie. A priuiledged perſon abiuring to any of the foreſaid places, ſhall bee conducted from Conſtable to Conſtable directly, vntill he be brought to the gouernour of the ſaid priuiledged place. And if that place bee full of his number, then he ſhalbe conducted to the next priuiledged place, and ſo to the next &c. vntil. HP. 1.Iac.25. *Abiuration. Sanctuarie.*

33 H.8.15.

21.H.8.14.

8.Eliz.8. 13 Of what height horſes ſhalbe, which feed vpon the common. A horſe not of lawful height ſhalbe ſeiſed and meaſured. There ſhalbe perely Viſts of Forreſts, Chaſes, Commons &c. How infected horſes and vnlikely Mittes ſhall bee vſed. AB. Horſes 3. &c. *Horſes.*

14 A confirmation of the ſtat. of 5.R.2.3.6.R.2.8.4.H.7.10. & 23.H.8.7. Touching fraighting in Engliſh ſhips only. A rate what ſhal bee payed for the fraight or portage of ſeuerall ſorts of Marchandiſes, to and from the Port of London to other places in other Prouinces. CB. *Fraight of ſhippes.*

15 In all Commiſſions to bee graunted to the Biſhop of the Diocelle, his Chauncellor and Commiſſarie, concerning Chriſtian Religion, according to the Statute of 31.H.8.14. There ſhal beeioyned with them the Archdeacons and their Officials: all which ſhall bee named in the ſaid Commiſſions by their names of Dignitie, and not by their Chriſtian names and ſurnames. HP. 1.Edw.6.12. *Archdeacons Officials.*

16 All

Aliens. 16 All Aliens ſhall bee bound by and vnto all the Lawes and Statutes of this Realme. No houſes or ſhoppes ſhall bee let to Aliens, not being Denizens. How many Aliens any perſon may keepe in his houſe. AB. Aliens 13. 14. 15.

Pauing in London. 17 The Street leading from Algate within London, to White Chappell Pariſh without the ſame Gate, Chauncerie Lane, the way leading from the Barres in Holborne Weſtward toward S. Gyles in the field, Grayes Inne Lane, Shoe Lane, and Fetter Lane, ſhall be paued with pauing ſtone by ſuch as haue any lands adioining thereunto, to the middeſt of the ſaid cauſeyes and lanes in length, as his or their Lands or Tenements doe lie, or extend: And ſhall be for euer yearely maintained by them, their heires, aſſignes, or ſucceſſors: vpon paine to forfeit for euery yard not ſufficiently paued, vj.d. And the Inhabitants may defalke ſo much of the Lords rent, as they ſhall diſpend therein. HR.

Townes decayed. 18 19 A remedy for the repaire of decayed houſes within the Cities and Townes of Yorke, Lincolne, Buckingham, &c. AB. Townes 7. 27.H.8.1.

Franchiſes of Abbeyes. 20 The ſame Franchiſes and temporall iuriſdictions that the late owners of thoſe religious Houſes, Manors, Lands, &c. which were aſſured to the King by former Statutes, had and exerciſed within three moneths before their diſſolutions, ſhalbe reuiued, and be really and actually in the King, his heires, and ſucceſſors, and ſhall be in the ſuruey and gouernance of the Court of Augmentations. And thoſe Abbey lands which bee come to the King by attainder of Treaſon, ſhalbe in the order and gouernance of the Kings generall ſurueiors, & the ſame Franchiſes ſhall continue. The Scites, Circuits, Manors, Lands, Hereditaments, Franchiſes, & Liberties of the late Monaſteries of Furnes, Cartemele, Coningſhed, Burſtough, and Holland, ſhall bee within the ſuruey and gouernance of the Chauncelor and Officers of the Dutchie of Lancaſter.

Court of augment. Fines may be leuied to the King, Deeds to be enrolled, may be acknowledged to him, and obligations may be made to him in the Court of Augmentations. AL. 1. M. 10.

Dayes in Banke. 21 There ſhalbe foure daies of returne in Trinitie Terme, and not aboue. What daies ſhalbe giuen in reall actions, dower, &c. AB. Dayes 1. &c.

Tenths detained. 22 If a Biſhop or any of his deputies will take his oath vpon his account, that he cannot leuie the tenth of any ſpirituall liuing, hee ſhall be thereof diſcharged. AB. Eccleſiaſticall &c. 29. An order how the King ſhall be anſwered of the Tenth of any ſpirituall promotion, omitted in the former certificat of Benefices.

Subſidie. 23 A confirmation of a Subſidie of iiij.s. in the pound to be paid in 2. yeres, granted to the King by the Clergie of the Prouince of Canterbury, and of ſuch ſummes of money, which after ſhall be graunted to him by the Clergie of the Prouince of Yorke. EP.

S. Johns of Hieruſalem. 24 The Corporation of the Religion of S. Johns of Hieruſalem in England and Ireland ſhall be diſſolued, &c. AB. Monaſteries 31. And all the Manours, lands, &c. of the ſame, ſhall be in the ſuruey and gouernance of the Court of Augmentations. AL. 1. M. 10.

Lady Anne of Cleues. 25 The Marriage ſolemnized betweene the King and the Ladie Anne of Cleues, by the iudgement of the Clergie of England in their Conuocation, is adiudged and pronounced to be void, and is, and ſhall be reputed to be void. And the king ſhal be at libertie to marry any other woman, and ſhee any other man. It ſhal be high Treaſon by writing, word, or deed, to accept, take, iudge, or beleeue the ſaid Marriage to be good, or to procure, or doe any thing to the repeal of this Act. EP.

26 All

26 All Determinations, Decrees, and Ordinances, which according to Gods Word and Christs Gospell, by the K. aduice, and confirmation by his Letters Patents, shall be made and ordained by the Archbishops, Bishops and Doctors, appointed or to be appointed in & vpon the matters of Christian Religion, and Christian Faith, and the lawful Rites, Ceremonies and Obseruations of the same, shalbe in euery point therof beleeued, obeyed, and performed, to all intents and purposes, vpon the paines therein comprised. Prouided, that nothing shalbe ordained, or defined, which shalbe repugnant to the Laws and Statutes of this Realme. EXP. Ecclesiasticall decrees.

27 A Resumption of certaine extraordinary Graunts and Licences made by the King of Absences, and Reuersions in Calice, and in the Marches of the same, and in Barwicke, and of Shirifewikes for life in Wales. EXP. Resumption.

28 Which Leases made by tenants in fee simple, tenants in taile, men seised of lands in the right of their wiues, or Churches, be good, and which void. AB. Leases 1.2.3. The Husbands only act of the wiues land, shall not preiudice her or her heires. AB. Women 5. Leases. Husband. wife.

34.H.8.22. 13.Ed.1.3.

29 All Meases, Lands, Tenements, and Hereditaments, being Guildable, lying in Oswelbecke Soke, in the Countie of Nottingham, heretofore partable betweene heires males, shall hereafter discend, reuert, remaine, abide, come, and bee inheritable, according to the common Lawes of this Realme. K. Oswelbecke Soke.

30 After an Issue tried, there shalbe iudgement, notwithstanding any Ieofaile, or mispleading. AB. Ieofaile 1. When an Atturny shall enter his warrant in Court. AB. Atturney 13. Ieofaile. Atturney.

2.Ed.6.32 18.Eliz.13.

31 A Recouery by assent of the parties had against tenant for terme of life, shalbe void. EXP. 14.Eliz 8. Recouerie.

32 Iointenants and Tenants in common for liues or yeares, shal be compellable to make partition. AB. Partition 4.5. Partition.

33 A disseisor dying seised, taketh away no title of entry from the disseisee or his heires. AB. Entry 1. Entrie.

34 Grauntees of Reuersions may take aduantage of Conditions & Couenants against the Lessees of the same lands. And Lessees may haue the like remedy against the grauntees, which they might haue had against their grauntors. AB. Condition 1,2. Condition. Couenant.

35 Euery Iustice of the Kings Forrests, Chases, and Parkes may make as many deputies as he will. AB. Forrests 8. Deputie Iustices.

36 A fine leuied by tenant in taile, shall be a barre to the heire of his body. A fine leuied by the wife of the inheritance of her deceased husband: or by him which is restrained by Parliament: or of lands, wherof the King is in reuersion, doth not bind. AB. Fines 17.18.19.20. Fines.

11.H.7.20.

37 A remedy for Executors to recouer Rents due to their Testator. The husbands remedy to recouer rent due in the life of his deceased wife. By what meanes a Rent may be recouered, the estate whereof depended vpon the life of a deceased person. AB. Rents 1. &c. Rents.

38 What Marriages be lawfull, and betweene which persons, and which not. AB. Matrimonie 1. That Marriage is indissoluble, which is contracted and solemnized in the face of the Church, and consummate with bodily knowledge, or fruit of child, notwithstanding any Precontract of Matrimonie. EXP. 2.Ed.6.23. Mariage. Precontract.

1.& 2.P.& M.8. 1.Eliz.1.

39 Charles Duke of Suffolke, and euery other, which hereafter shall be the great Maister of the K. house, shall haue all authorities that the Lord Steward of the K. house had. EXP. 1,M.4. Graund Maister de Hostell du Roy.

40 Phi-

Phiſitions. 40 Phiſitions in London ſhalbe diſcharged to beare certaine offices there. Foure Phiſitions ſhall bée elected to ſearch Apothecarie wares in London. The forfeiture of ſuch as being elected, refuſe to bée ſworne, or make ſearch.

Surgeons. AB. Phiſitions 5. 8. 9. Phiſitions of London may practiſe Surgerie. AB. Surgeons 2.

Inholders. 41 Which Inholders may make Horſe-bread within their houſes, notwithſtanding the Statute of 13. Rich. 2. 8. & 4. H. 4. 25. AB. Inholders 2.

Surgeons. Barbers. 42 Surgeons and Barbers in London made one Companie, their Authority, and Liberties. No Surgeon ſhal vſe Barberie, nor Barber Surgerie. AB. Surgeons 3. &c. 5. H. 8. 6.

Cheſter. 43 Seſſions ſhalbe kept in the County of Cheſter twice in ths yeare only. AB. Cheſter 1. 33. H. 8. 13.

Roiſton Church. 44 The Towne of Roiſton being before in fiue Pariſhes, ſhall be reduced into one Pariſh, which ſhal haue the Priorie Church to their Pariſh Church, and be called the Pariſh Church of S. John Baptiſt in Roiſton. And there ſhall be a Vicar, alwayes to bée preſented by the King, his Heires, and Succeſſors: which Vicar may ſue and be ſued, and purchaſe lands &c. to him and his ſucceſſors. And the Pariſh Church and Towne of Roiſton ſhall bée in the Dioces of London. HR.

Court of firſt fruits. 45 There ſhall bée erected a Court of Record, to bée commonly called the Court of firſt Fruites and Tenthes, for the leuying and gouernement of the firſt Fruites and Tenthes, graunted to the King by the Statute of 26. H. 8. 3. which ſhall haue a Seale: the Officers whereof, ſhall be the Chauncellor, the Treaſurer, the Kings Attourney, two Auditors, a Clerke, a Meſſenger, an Vſher, with their ſeuerall oathes, charge, and duties. AL. 1. Ma. 10. 7. Ed. 6. 2.

Court of wards. 46 There ſhall be a Court of Record erected, called the Court of the Kings Wards, which ſhall haue a Seale: the Officers whereof, ſhall be a Maſter, an Attourney, a generall Receiuer, two Auditors, two Clerkes, a Meſſenger, and an Vſher: their ſeuerall Oathes, Charges, and Authorities. AB. Wards 27. 28. 33. H. 8. 22. 33. H. 8. 39.

Biſhop of Norwich. 47 The Biſhop of Norwich and his ſucceſſors, and in the time of vacation, the Deane and Chapter of Norwich, ſhall collect the Tenth of all promotions ſpirituall within the ſaid Dioces, graunted to the King by the Statute of 26.

Tenths. H. 8. 3. And thereof ſhall account yerely before the Barons of the Exchequer, and ſhal haue like allowance and diſcharge, as other Biſhops and Collectors of Tenths haue. AB. Eccleſiaſticall &c. 28. By a ſtatute not printed, made Anno 27. H. 8. The Biſhop of Norwich and his Succeſſors were diſcharged of the collection of the ſaid Tenth.

Douer rents. 48 The owners of Lands holden of the Caſtle of Douer, which are bound by their tenures to pay their Rents at the ſaid Caſtle, vpon great penalties, called Surliſes, ſhall hereafter pay the ſame Rents to the King in the Exchequer, in the day of Simon and Jude, or within fiftéene dayes after: and he that maketh default at that time, ſhall pay double the rent. But hée that is bound to build or repaire there, ſhall do it accordingly. During the time that the King ſhall haue any lands in his hands for Wardſhip, or Primer Seiſin, no Rent ſhall bée payed for Caſtle Ward to Douer. One hundred and threéſcore pounds ſhall be quarterly payed euery yeare to the Conſtable of the Caſtle of Douer, at the dore of the common Hall in the Citie of Canterbury, by the Kings generall Receiuer, to diſcharge Officers and Souldiors.

Conſtable of Douer Caſtle. The Conſtable of the Caſtle of Douer ſhall ſurney and controll the Kéepers and chiefe

chiefe Officers of the Caſtles, Block-houſes, and Bulwarkes in Kent, and Suſſex, and all the Officers, Souldiors, and Munitions there. HR.

49 A Confirmation of the Kings generall and free Pardon, of all Hereſies, Treaſons, Felonies, Robberies, Offences &c. Except &c. EXP. Pardon.

Statutes made at the Parliament begun at Weſtminſter *16. die Ianuarij, Anno 33. H.8. & Anno Domini 1541.*

¶ 1 The puniſhment of him which doth get into his hands any money or goods of another perſons, vnder the colour of a falſe token or counterfeit letter. AB. Counterfeit 1. Counterfeit.

23.Eliz.7. 2 Whoſoeuer ſhall buy any freſh Fiſh (except Sturgeon, Porpuis, and Scle) of any ſtranger in the parts of Flaunders, Zeland, Picardy, or France, or vpon the ſea, betweene ſhoare and ſhoare, or in any place beyond the ſea, to put to ſale to any perſon within this Realme, ſhall forfeit for euery time tenne pounds. But this ſhal not extend to any perſon which ſhal buy fiſh in any parts of Iſeland, Scotland, Orkney, Shotland, Ireland, or Newland. EXP. Fiſh.

3 Welch Clothes, called Whites, Ruſſets, and Rennets, ſhall bee folded, either in Plaites or Cuttels. AB. Draperie 63. Cloth.

4 The Statute of 4.H 8.7. & 25.H.8.9. concerning Pewterers, made perpetuall. The penaltie for withſtanding, or letting of ſearching, or ſeiſing of wares, made of Tinne out of this Realme. AB. Pewter 6.7.8.9. Pewterers.

5 How many ſtoned trotting Horſes for the ſaddle, euery perſon ſhall bee bound to keepe, in reſpect of his degree, liuing, wiues apparrell, or for any other cauſe. AB. Horſes 10.11.12. Stoned horſes.

6 Who may keepe or ſhoot in a Gunne or Croſbow, and who not. Of what length his Gunne ſhalbe: in what place, and at what marke he may ſhoot. AB. Gunnes &c. 1.&c. A Proviſo for the licencing of the inhabitants within ry. miles of the borders of Scotland to keepe Gunnes, Croſbowes, &c. HP. 4. Iac. 1. Gunnes. Croſbowes.

2.Ed.6.37. 21.H.8.10. 7 No perſon ſhall conuey any Braſſe, Copper, Latten, Bell Mettall &c. out of the K. Dominions &c. AB. Braſſe 1.&c. Braſſe.

5.Eliz 16. 1.Iacob.12 8 It ſhalbe felony to practiſe, or cauſe to be practiſed Coniuration, Witchcraft, Enchantment, or Sorcerie to get mony, or to conſume any perſon in his body, members, or goods: or to prouoke any perſon to vnlawfull loue: or for the deſpight of Chriſt, or lucre of money, to pull downe any Croſſe, or to declare where goods ſtolne be. HP. 1.Ed.6.12. Coniuration. Croſſes.

9 Artillery ſhalbe maintained. AB. Archerie 1 &c. And vnlawful Plaies and Games ſhalbe debarred. AB. Plaies 1.&c. All former ſtatutes made againſt vnlawfull games, and for the maintenance of Artillerie, repealed. Archerie. Playes.

10 All Iuſt. of Peace within euery County, City, Borough, or place within the K. dominions, ſhall yerely at the generall Qu. Seſſions, holden next after Eaſter, diuide themſelues, and limitting two at the leaſt into Hundreds, Wapentakes, number of Townes &c. They ſhall hold one Seſſion for the limits of their diuiſion, beſide the Qu. Seſſions, ſix weekes before the Qu. Seſſions, wherein they ſhall enquire of Vagabonds, Reteiners, giuing of Liueries, Badges, Maintenance, Imbracerie, &c. and heare and determine the ſame, according to the ſtatute for ſuch offences prouided. And they may reforme Panels returned before them. HP. 37. H.8. 7. for the ſixe weekes Seſſions: and confirmed for the enquirie of the ſame offendors at the Qu. Seſſions. AB. Iuſtices of Peace 20. Sixe weekes Seſſions.

Butchers. 11 A Repeale of the ſtatute of 24.H.8.3.& 25.H.8.1. limiting Butchers to ſell fleſh by weight, and at certaine prices.

Bloudſhed within the Kings houſe. 12 The tryall and punishment of Treaſons, Miſprisions of Treaſons, Murders, Manſlaughters, and other malicious ſtrikings, whereof bloud ſhall be ſhed in the Kings houſe, or where he ſhal abide. AB. Fighting 1. Triall 4.5.6. And the view and inquiſition of the foreſaid offences, ſhall be taken by the Coroner of the K. houſe. AB. Coroners 18.

Cheſter. Wales. 13 When and where the Shire Court, and the Seſſions for the Countie of Cheſter ſhall be kept. AB. Cheſter 1. Countie 2. Certaine Lordſhips in Wales remoued from the Countie of Denbigh to the Countie of Flint. AB. Wales 98. 32.H.8.43.

Prophecies. 14 It ſhalbe felony to print, write, ſpeake, ſing, or declare to another, of the King, or any other perſon, any falſe Prophecie, vpō occaſion of any arms, fields, beaſts, fowles, or ſuch like things, accuſtomed in Armes, Cogniſances, or Badges, or by reaſon of letters of the name of the King, or any other. HP. 1.Edw.6.12. 5.Eliz.15.

Sanctuarie. 15 A Repeale of ſo much of the ſtatute of 32.H.8.12. as doth aſſigne the Towne of Manchester to be a place of Sanctuarie. But in the ſtead therof the Citie of Weſtcheſter in the County of Cheſter ſhall bée a place of Sanctuary. HP. 1.Iac.25.

Yarne. 16 Who may buy Worſted Yarne ſpun in Norwich, or Norfolk, and who not. No Worſted yarne ſhalbe tranſported. AB. Yarne 1.2. 1.Ed.6.6 5.Ed.6.7.

Hempe. Flaxe. 17 Certaine ſtatutes continued vntil the laſt day of the next Parliament. HP. Hempe or Flaxe ſhall not be watered in any running ſtreame, but on the ground. AB. Hempe 1.

Kerſey. 18 So much of the ſtatute of 27.H.8.12. as concerneth the breadth of Kerſey, repealed: and the reſidue confirmed. HP. 5.Ed.6.6.

Cloth. 19 Of what value Woollen Cloth, white, or coloured, carried ouer the ſea, may be. AB. Draperie 98. 27.H.8.13. 7.E.4.3.

Treaſon by a Lunatike. 20 If any perſon ſhall comunit high Treaſon when he is of perfect memorie, and after accuſation, examination, and confeſſion thereof before any of the Kings Councell, ſhall fall into Lunacie: he ſhall be enquired of in any Countie, where the King by his Commiſſion ſhall aſſigne. And if he be there endited, hée ſhall bée there arraigned without his perſonall preſence. And if he be found guilty, he ſhall ſuffer death, and forfeit, as if hée had béen of perfect memory. HP. 1. & 2. Ph. & Ma. 10. Attainder of Treaſon by the common Law, ſhall bée of as great force, as if it were done by Parliament. AB. Treaſon 14.

M. Katherine Hayward. Accuſing the Queene. 21 Queene Katherine Hayward attainted of high Treaſon for her incontinent life, and I.K. L.C. and F.D. her complices. It ſhall be lawfull for any of the Kings ſubiects, if themſelues perfectly know, or by vehement preſumption do perceiue any will, act, or condition of lightneſſe of body in her, which ſhall bée the Queene of this Realme, to diſcloſe the ſame to the King, or ſome of his Counſell. But they ſhall not openly blow it abroad, or whiſper it, vntill it bée diuulged by the King, or his Counſell. If the King or any of his ſucceſſors ſhall marry a woman which was before incontinent, if ſhée conceale the ſame, it ſhalbe high Treaſon. And ſo ſhall it be in any other knowing it, and not reuealing it to the King, or any one of his Counſell before the ſaid marriage, or within twentie dayes after. If the Queene, or wife of the Prince, ſhall by Writing, Meſſage, Words, Tokens, or otherwiſe moue any others to haue carnall knowledge with them: or any others ſhall moue either of them to that end, then in the offendor it ſhall bée adiudged high Treaſon. HP. 1.Edw.6.12.

The

The Kings assent vnder the great Seale, notified in the Parliament house, shall be of as great force, as if he were present. AB. Parliament 10. — The Kings assent.

32.H.8.46. 22 The Office of the Maister of the Liueries, annexed to the Kings Court of Wardes. And the Maister of the Wardes shall be the chiefe Officer thereof, and the Surueyor the second. And there shall be a Clerke of the Liueries. What their authoritie shall be. In what cases a generall, and in what a speciall Liuerie shall be sued. AB. Wards 27. Liueries 4.5.6.7. Offices &c. 3.4.6. — Liueries.

23 In certaine cases there shall be triall of Treasons, misprision of Treasons, and Murders, in any Countie where the King by Commission will appoint. AB. Treason 9. This statute touching the triall of Murder doth continue, but for Treason is repealed by 1.& 2. P.& M. 10. — Triall of Treason.

8.R.2.2. 13.H.4.2. 24 No man shall be Iustice of Assise in the Countie where he was borne, or doth dwell. AB. Iust. of Assise 5. No Clerke of Assise shall be of counsell with any person in that circuite. AB. Clerke of Assise 1. — Iust. of Assise. Cl. of Assise.

25 The Children of Thomas Points, William Castelin, and Iohn Dimmocke, borne beyond the Sea, shall be reputed the Kings naturall Subiects, and enabled to inioy land by discent, or purchase, to sue, and to bee sued. HR. — Free denizens.

26 A Repeal of certaine fraudulent deeds, estates, will, and conueyances made by Sir Iohn Shelton, of lands in Norfolke and Suffolke, to defeat the King and others of Wardship, Primer seisin, Reliefe, &c. And he adiudged to die seised of such Estate in those lands, as he was before the same Estates made. HR. — Sir Iohn Shelton.

27 In Corporations none shall haue a negatiue voice. AB. Corporations 5. — Corporations

21.H.8.13. 28 The Chauncellor of the Duchie of Lancaster, the Chauncellor of the Augmentations, the Chauncellor of the first Fruites and Tenthes, the Maister of the Wardes, euery of the generall Surueyors, the Treasurer of the kings chamber, the Treasurer of the Augmentations, and the groome of the kings Stole, may retaine in euery of their house, or attendant vpon his person, one Chapleine, hauing one Benefice with cure of Soule, which may be absent from his said Benefice. AB. Ecclesiasticall &c. 22.23. — Residence.

29 Religious persons which were in houses of Religion that were remoued from one Corporation to an other, and not dissolued, shall be in the same case to inherite, purchase, sue, and to be sued, as other Religious persons are enabled to be by the Statute of 31.H.8.6. AB. Abilitie 3. — Religious persons.

30 All Leases, Graunts, and other Writings to be made by the Bishop of Couentrie and Lichfield for the time being, in writing vnder his Seale, of any his Lands, Offices, Fees, &c. and confirmed by the Deane and Chapter of Lichfield in writing, vnder their Chapter Seale, shall be good in Law, to bind in succession the Successors of the said Bishop. And the Deane and Chapter of Lichfield shall be for euer the entier and sole Chapter of the said Bishoprieke of Couentrie and Lichfield: whereof the Prior and Couent of the dissolued Priory of Couentrie were heretofore the moitie or halfe part. HR. — Bishop of Couentrie, &c.

31 The Bishoprieke and Dioces of Chester, and the Bishoprieke and Dioces of Man, in the Isle of Man, and the Archdeaconrie of Richmond, shall bee annexed to the Bishoprieke of Chester: And all the people in the same Dioceses shall bee vnited to the Prouince and Archbishoprieke of Yorke, and shall bee diseuered from the Archbishoprieke of Canterburie. HR. — Bishop of Chester.

Whitegate. 32 The Church of White-gate in the Countie of Chester, shall be a Parish Church of it selfe, and no part of the Parish of Quer. There shall be a Vikar there to bee named by the King &c. which shall haue perpetuall Succession: and bee called Vikar of the Parish Church of our blessed Ladie the Virgin, of White-gate: And by that name shall sue, and be sued. R.

Kingston vpon Hull. 33 A Repeal of the Statute of 27. H. 8. 3. concerning exactions taken by the Maior of Kingston vpon Hull. But it shall be lawfull for the Mayor there, and his Officers, to take of all Fishermen for euery Last of Herring of euery person priuiledged xx. d. and for euery 100. of Salt fish iiij. d. and for euery Last of Sprats viij. d. and of euery person not priuiledged, for euery Last of Herringes v. s. iiij. d. and for euery 100. of Salt fish iiij. d. and for euery Last of Sprats viij. pence, as they did before the said Statute. R. 5. Eliz. 5.

Kings Linne. 34 A Reuocation of two Fayres, or Marts, which the King by his Letters Patents, dated 7. die Marij, Anno 29. of his Raigne, graunted vnto the Maior and Burgesses of Kinges Linne, in the Countie of Norfolke.

Glocester. 35 The Maior of the Citie of Glocester, and the Deane of the Cathedrall Church there, and their successors, may conuaie water in pipes of Lead, gutters, and trenches, from Gatestones hill, otherwise called Robinhods hill: and from time to time repaire them, satisfying the owners of the ground there, for the digging thereof. R.

Townes decayed. 36 A prouision for the repaire of desolate and void grounds which had been buylded in Canterbury, Buckingham, & certaine other great Townes. AB. Townes 1. 2. 3. 4.

The Honour of Ampthyll. 37 All Mannors, Parkes, Messuages, Lands, Tenements, Scites of Monasteries, and other Hereditaments of the Kings, lying in the Townes and Parishes of Ampthyll, Wilbroke, Flætewicke, Walden, &c. shall be perpetually annexed to the Mannour of Ampthyll, and be taken as parcell of the same Mannour. And the same Mannour, with the other Mannours, Lands, &c. shall be called the Honour of Ampthyll. R. Which Honour shal be within the order and suruey of the Court of Augmentations. AL. 1. M. 10. Touching the order of the Court. Viz. 50. Townes.

The Honour of Grafton. 38 The Kings hundreds of Wimberley, and Alfords Howe, and his Forrests of Whitlewood, and Sawcey, and his Chases of Pardley, & Whaddon: and all his Mannors, Parkes, Scites of Monasteries, Lands, Tenements, and Hereditaments, lying within the Townes, Hamlets, and Parishes of Grafton, Hartwell, Ashton, Rode, &c. shall be annexed to the Mannour of Grafton. And the same Mannour, and other the premisses shall be called perpetually the Honour of Grafton. R. And shall be in the order and suruey of the Court of Augmentations. Sauing so much thereof as is within the Duchie of Lancaster, or Countie Palantine of Lancaster. AL. 1. M. 10. Touching the order of the Court. Viz. 52. Townes.

The Court of generall Surueyors. 39 The Court of the generall Surueyors of the Kings lands, shall be a Court of Record, and shall haue a priuie Seale, whereof shall be Officers, the Kings generall Surueyors, a Treasurer, viz. the Treasurer of the kings Chamber for the time being, An Atturney, the Master of the woods, Auditors, Receiuors, a Clerke of the Court, an Vsher, a Messenger. Their seuerall oathes and duties. All lands onely mentioned in a Schedule signed or to be signed with the Kings signe Manuell, shall be in the order & gouernance of the said Court. AL. 1. M. 10. The forme, effect, and force of all Obligati- 7. Ed. 6. 2.

ons

ons made to the King. Who ſhall haue the Kings Bonds and Debts after his death. Debts due to the King by Attainder, Outlawrie, Forfeiture, gift of the partie, or otherwiſe. The Kings ſuite for his Debt ſhall be preferred. Landes entailed ſhall bee chargeable to the payment of the Kings Debts. AB. Accomptants &c. 1. &c. The Authoritie of the Courts of Exchequer, Wards, and Dutchie: And in which of them ſuits for the Kinges Debts ſhall bee commenced. AB. Courts 1. The Kinges remedie for the Tenth detained, which was or ſhall bee reſerued vpon any graunt made by Letters Patents of any Landes &c. AB. Tenthes 2. Euery Audite ſhall bee proclaimed before the comming of the Auditor. The Auditors fees for enrollements. What fees euery Receiuer ſhall take. AB. Auditor 1. &c.

The Kings debts. Tenthes. Auditor. Receiuer.

Statutes made at the Seſsion of Parliament holden vpon Prorogation at Weſtminſter 22. die Ianuary, Anno 34. H. 8. & Anno Domini 1542.

¶ 1 All bookes of the Old and new Teſtament in Engliſh, being of Tindales falſe tranſlation, or compriſing any matter of Chriſtian Religion, Articles of the Faith, or holy Scripture, contrarie to the doctrine ſet forth hithence Anno Domini 1540. or to be ſet forth by the King, ſhall be aboliſhed. No Printer or Booke-ſeller ſhall vtter any of the foreſaid Bookes. No perſons ſhall play in Enterludes, ſing or ryme contrarie to the ſaid doctrine. No perſon ſhall retaine any Engliſh Bookes, or Writings concerning matter againſt the holy and bleſſed Sacrament of the Aultar, or for the maintenance of Anabaptiſts, or other Bookes aboliſhed by the Kinges Proclamation. There ſhall be no Annotations, or Preambles in Bibles, or New Teſtaments in Engliſh. The Bible ſhall not be read in Engliſh in any Church. No women or Artificers, Prentices, Journeymen, Seruingmen of the degrees of Yeomen, or vnder, Husbandmen, nor Labourers ſhall read the Bible or New Teſtament in Engliſh. Nothing ſhall be taught or maintained contrarie to the Kinges Inſtructions. And if any ſpirituall perſon preach, teach, or maintaine any thing contrarie to the Kinges ſaid Inſtructions, or Determinations, made, or to bee made, and ſhall bee thereof conuict, hee ſhall for his firſt offence recant, for his ſecond abiure, and beare a Fagot, and for his third ſhall bee adiudged an Heretike, and bee burned, and loſe all his goods and chattels. HP. 1. Ed. 6. 12.

Teſtament in Engliſh.

31. H. 8. 14.

2 Within what time the Kings Collectors of any Fifteene, Subſidie, or other Tare or Loane, ſhall pay their money receiued. How farre the heire of the Kings Collector or Receiuer ſhall bee charged, and where the Executors. AB. Accomptants &c. 23. 24. 25. 26.

The Kings Collector Receiuer.

3 The Meaſure, Aſſiſe, and ſkantling of Coales, Talwood, Fagots, and Billets. HP. 7. Ed. 6. 7.

Fuell.

4 The Lord Chauncellor, Lord Treaſurer, Lord Preſident &c. ſhall take order with bankrupts bodies, lands, and goods, for the paiment of their debts. AL. 13. Eliz. 7. & 1. Iac. 15.

Bankrupts.

5 An Expoſition made of ſeuerall Braunches of the Statute of 32. H. 8. 1. Touching deuiſing by Will, or diſpoſing by State executed, lands of ſeuerall Tenures. AB. Wils 10. &c. A meane to auoid fraudulent conueyances, made to defeat Wardſhips. AB. Wards 24.

Wills. Wards.

Pinnes. 6 No perſon ſhall put to ſale any Pinnes, but onely ſuch as ſhall be double headed, and haue the heads ſouldered faſt to the ſhanke of the Pinne, well ſmothed, the ſhanke well ſhauen, the point well and round filled, canted, and ſharped. HP. 37.H.8.13.

Wines. 7 The Lords authorized by the Statute of 28.H.8.14. to ſet the prices of Wines in groſſe, may mitigate and enhaunce the prices of Wines to be ſolde by retaile, as time and occaſion ſhall require. EP.

Surgeons. 8 It ſhall be lawfull to any perſon (in any parts of the Kings Dominions) to helpe outward ſores, notwithſtanding the ſtatute of 3.H.8.11. AB. Surgeons 2.

Hauens. 9 No Rubbiſh ſhall be caſt into any Hauen, Rode, Channell, or Riuer. AB. Hauens 1. If any Maſter or Owner of any Shippe, or Veſſell, doe vnloade any Balaſt or Robell in King-rode, or in any part of the Hauen vnto Briſtoll, but vpon the Land, he ſhall forfeit foure pounds to the King and Informer. HR.

Couerlets. 10 Of what aſſiſe Couerlets made in Yorke ſhall be, and where they ſhall be ſold. AB. Couerlets 1. &c.

Clothes. 11 The weight, length, breadth, and goodneſſe of Welch Frèzes, made in the Counties of Carmarthen, Cardigan, and Penbroke. HP. 5.Ed.6.6.

Pauing. 12 White Croſſe ſtrète, and certaine other ſtrètes and lanes in London & Weſtminſter, viz. xvj. ſhall be paued by the owners or Fermors thereof, & ſo for euer continued: which ſtrèts and lanes, euery perſon ſhall paue vnto the middeſt of them, ſo farre in length and breadth as his owne ground doth goe, vpon paine of forfeiture of twelue pence for euery yard ſquare vnpaued. HR.

Cheſter. 13 The Countie Palantine of Cheſter ſhall haue two Knights for the Shire, and two Burgeſſes for the Citie of Cheſter at euery Parliament. AB. Cheſter 2. No Writ of courſe in the nature of a Protection ſhall be graunted in the Countie Palantine of Cheſter, without the Kings warrant. AB. Protection 5.

Conuicts. 14 The names of all perſons outlawed, attainted, and conuict of Felonie, ſhall bee certified into the Kinges Bench. AB. Certificate &c. 1. &c.

Biſhop of Bathe &c. 15 All Gifts, Graunts, and Writings, to bee made by the Biſhop of Bathe and Welles, vnder his Seale, of any his Lands, Offices, Fées, &c. and confirmed by the Deane and Chapiter of Welles in writing vnder their Chapiter Seale, ſhall be good in law to binde the ſucceſſors of the ſaid Biſhop. And the Deane and Chapiter of Welles ſhall bee for euer the entire and ſole Chapiter of the ſaid Biſhopricke of Bathe and Welles: whereof the Prior and Couent of the diſſolued Monaſterie of S. Peter and Paule of Bath were heretofore the halfe part. HR.

Sheriffes. 16 Shiriffes vpon their Accounts made in the Exchequer, ſhall bee diſcharged of ſuch ſummes of money, which they will teſtifie by their oathes, they cannot leuie. And they ſhall haue allowances for the Diet of the Juſtices of Aſſiſe, Clerke of Aſſiſe, and other their reaſonable expences. EP. 2.Ed.6.4.

Biſhops Tenthes. 17 The Biſhops new erected (by the King) of Cheſter, Gloceſter, Peterborough, Briſtoll, and Oxford, ſhall pay their Tenthes limitted by the Statute of 26.H.8.3. in the Court of firſt Fruites. And they or their Succeſſors ſhall not bée charged with a double Tenth, though the ſame bee reſerued by their Letters Patents. AL. 1. M. 10. touching the place of payment.

18 A Confirmation of all Liberties graunted by the King, or any of his Progenitors, to the Mayor and Aldermen of Canterburie. No forreine not being free of the said Citie, shall buy or sell any marchandise (sauing victuall) to another forreine: nor shall keepe any shoppe, nor vse any mysterie within the said Citie, or the Liberties thereof, without the licence of the Mayor and Aldermen, or the more part of them in writing vnder their Seale, vpon paine to forfeit vj.s. viij.d. for euery offence to the said Mayor and Aldermen, to be recouered by Action, or Distresse. HR. Canterburie.

19 Pencions, Portions, Synodales, Priories &c. due out of religious lands dissolued, to Bishops, Archdeacons &c. shal be paid by the occupiers of the same lands, as they were before. AB. Monalleries 33. Pencions out of Abbey lands.

20 Common Recoueries of lands in taile, whereof the King is in reuersion, shall be voide. AB. Recoueries 2.3.4. Recoueries.

21 A Confirmation of all Letters Patents and other writings made by the King to any other person, or to be made within 7. yeares after: and of all assurances made or to be made by any other to the King within the said seuen yeares of any lands &c. AB. Patents 17. The King graunting an office with a fee, if the office be decaied, the fee shall cease, EP. Patents. Office.

22 The force of Recoueries, Deeds enrolled, and Releases acknowledged by women couert, in certaine corporate Townes. AB. Women 5. women.

23 Judgement may be giuen against any person for an offence committed, contrarie to the Statute of 31. H.8.8. ordeined for the due execution of Proclamations by the Kinges Priuie Counsell: so that there bee nine of the same Priuie Counsell at the least, then present. EP. 1. Edward. 6. 12. Proclamations.

24 Iohn Hynde the Kings Serieant at the Law shall haue to him, his heires, and assignes for euer, the Manor of Burlewas, otherwise called the Shire Manor, lying in Maddingley, in the Countie of Cambridge, employed to the payment of the wages of the Knights of the Parliament of the same Countie, paying therefore at Michaelmas yearely tenne pounds for the wages of the Knights of the Parliament of Cambridge-shire. The two Knights of the Parliament, and the Shirife of Cambridge-shire for the time being, shall bee incorporated by the name of Wardens, of the fees and wages of the Knights of the Shire of Cambridge. And the said Knights or the surviuor of them, and the Shirife, if they both die, shall haue the said Rent of tenne pounds to their owne vse, vntill other Knights of the Parliament be chosen. And the said Wardens may recouer the said Rent, being vnpaied by Action of Debt, or Distresse. And if the Rent bee vnpaied three Months, then the Wardens may enter vpon the land, and retaine it, vntill they be satisfied of the Rent, and the Arrerages. And if the said Manor, or any part thereof shall come into the Kinges handes by Wardship, Escheate, Primer seisin, or otherwise. Then the Kings Receiuers, Baylifes, or &c. shall pay the Wardens the said Rent. The inhabitants of the Countie of Cambridge, shall be discharged of the wages of the Knights for the Parliament. HR. Cambridge shire Manor.

25 It shall be lawfull to the Mayor, Burgesses, and inhabitants of Poole in the Countie of Dorset, and to their Successors, to erect a Windmill in the Kings waste ground and Common in the Towne of Baiter: and a Conduite head in a place called Totnam, and to haue fiftéene foote square for the Conduite head: and to digge and draw in, by, through and vpon all places meete & conuenient into and from the same &c. yeelding yearely to the King, his heires &c. one Pepper corne. HR. Poole.

Wales. 26 The Principalitie of Wales diuided into twelue Shires, and into Hundreds. A President and Counsell established there. Sessions, Courts, Justices, Sherifes, Escheators, Prenotaries, Coroners, and other Officers appointed there. Originall and iudiciall Seales ordeined there. Certaine Townes annexed to some Counties in Wales, and to some in England. AB. Wales 2. &c. 27.H.8.26.

Statutes made at the Session of Parliament holden vpon Prorogation at Westminster 14. die Ianuarij, Anno 35. H.8. & Anno Domini 1543.

The Crown entailed. ¶ 1 If the King, and Prince Edward his sonne shall die without heire of either of their bodies lawfully begotten: then the imperiall Crowne of this Realme shall bee to the Ladie Marie, the Kings eldest daughter, and to the heires of her bodie lawfully begotten, And for default of such issue, to the Ladie Elizabeth, the Kings second daughter, and the heires of her bodie lawfully begotten, with such conditions, as the King by his Letters Patents vnder the great Seale, or by his last Will in writing shall declare and limit to their Estates (if hee shall declare any.) And because if the saide Prince Edward, Ladie Marie, and Ladie Elizabeth, shall die without such issue of their bodies, then after the Kings death this Realme shall be destitute of a lawfull Gouernour, to order, rule and gouerne the same: Therefore for lacke of such issue of Prince Edward, Ladie Marie, and Ladie Elizabeth, the Crowne shall remaine, and be to such person, and persons, and for such Estate, or Estates, as the King by his Letters Patents vnder the great Seale, or by his last Will in writing, signed with his hand, shall giue, dispose, appoint, and limit the same. All the Kings Subiects and Reliants shall at the Kings pleasure take an oath for the renouncing of the authoritie of the Bishop of Rome, for the maintenance of the Kings Supremacie, and for the defence of the Title and Succession to the Crowne, limitted by this Statute and the Statute of 28. H.8.7. And if any person to whom the same Oath shall be tendred, shall refuse to take the same: or shall doe any thing for the interruption of this Acte: or to the perill, slaunder, or disherison of any of the issues and heires of the King, beeing limitted by this Act to inherite: or of any person or persons to whom the Crowne shall bee limitted by the Kinges Letters Patents, or last Will in writing, whereby such persons might be destroyed in bodie or title to the inheritance of the Crowns: then euery such offendor shall bee adiudged a Traitor. HP. touching the oath 1.&2.P.& M.8. 25.H.8.22. 28.H.8.7. 1.Eliz.3.

Treasons. 2 Where and before whom Treasons committed out of the Realme shall be tried. AB. Treasons 10. 26.H.8.13. 5.Ed.6.11.

The Kings Style. 3 The Kings style shall be: Henry the eight, by the grace of God, King of England, Fraunce, and Ireland, Defendor of the Faith, and of the Church of England, and also of Ireland, in earth the supreme head. Which style shall bee vnited and annexed for euer to the imperiall Crowne of this Realme of England. And it shall be high Treason to imagine or attempt to deprine the King or any of his heires, or allignes, of any of their said styles or titles. HP. 1.& 2.P.& M.8.

Townes. 4 A remedie for the repaire of decayed Houses in Shrewsburie, Chester, Ludlow, Penbroke, and other Townes in England and Wales. AB. Townes 6.

5 No perſon ſhall be put to his triall vpon an accuſation concerning any of the offences compriſed in the Statute of 31. H. 8. 14. but onely vpon ſuch as ſhall be made by the oath of vij. men, before Commiſſioners authorized. And the preſentment ſhall be made within one yeare after the offence committed. No perſon ſhall be arreſted or committed to ward for any ſuch offence, before he be indicted. If a Preacher or Reader ſhall ſpeake any thing in his Sermon, or Reading, contrary to any matter contained in the vj. Articles, he ſhall be accuſed, or indicted thereof within fortie dayes, or elſe ſhall be diſcharged of the ſaid offence. EP. 1. Ed. 6. 12. The ſixe Articles.

2. Ed. 6. 32. 27. Eliz. 6. 6 The forme of a Venire facias, where each Juror muſt diſpend rl. ſ. of freehold, and where not. How many Hundredors be requiſite in a Jurie. What iſſues ſhall be returned vpon Jurors. Tales de Circumſtantibus, graunted at the plaintifes requeſt. AB. Iurors 19. 20. 21. 23. Jurors.

7 A repeal of the Statute of 25. H. 8. 4. touching the forſtalling and regrating of Fiſh. Fiſh.

23. H. 8. 4. 8 Euery artificer of the Myſterie of Coopers, may take for euery Beere barrell by him ſolde x. d. and for euery beere kilderkin vj. d. Whoſoeuer ſhall carrie Beere beyond the Sea, ſhall find ſuerties to the Cuſtomers of that port, to bring in Clapboord meete to make ſo much veſſell as he ſhall carry forth. No man in London, or within two Miles compaſſe, ſhall cut or diminiſh any barrels, kilderkins, or firkins, but for his owne prouiſion. No man ſhall tranſport Beere in a greater veſſell then a barrell, vpon paine to forfeit vj. ſ. viij. d. for euery veſſell. EP. Barrels. Beere.

9 S. Katherines Marſh, otherwiſe called Wapping Marſh, in the Countie of Middleſex, ſhall be diuided by certaine perſons aſſigned, or by any vj. of them. And Richard Pill of London Mercer (the aſſignee of Cornelis Wanderelſe, who at his owne charge inned, and recouered the ſame being drowned) ſhall haue the one moitie thereof to him and to his heires. HR. Wapping Marſh.

10 It ſhall be lawfull to the Maior and Comminaltie of London, and to their ſucceſſors, aſſignees, and ſeruants, at all times to enter into the grounds of the King, and euery other perſon, where they ſhall know any ſprings to be found (ſo that it be not into their houſes, gardens, orchards, or places incloſed with ſtone, bricke, or mud wall) and there to digge pits, trenches, & ditches, and to erect heads, lay pipes, and make vaults, and to doe euery ſuch thing as ſhall be neceſſarie onely for the conueyance of water to the Citie of London, and the Suburbes thereof: and from time to time to view, amend, & tranſlate them, paying ſo much to the Owners or poſſeſſors of the ſame grounds, as ſhall be tared by three or foure ſuch indifferent perſons as ſhall be aſſigned by the Lord Chauncelor, by the kings commiſſion. HR. Conduits for London.

11 The wages of Knights and Burgeſſes for the Parliament, in the vj. Shires of Wales, and Countie of Monmouth. By whom Burgeſſes there ſhall be choſen, and who ſhall rate their wages. AB. Wales 118. 119. 120. 121. Wales. Parliament.

12 The Lords and Commons doe remit vnto the King all ſuch ſummes of money, as he hath borrowed of them, or any other, by way of preſt, or loan, by his priuie Seales, ſithence the firſt day of Januarie Anno 33. of his raigne. And if the king haue paied to any perſon any ſumme of money which he borrowed by ſale of land, or otherwiſe, the ſame perſon his heires, executors, or adminiſtrators, ſhall repaie the ſame againe to the king. And if any perſon hath ſold his priuie Seale to an other, the ſeller ſhall repay the money to the buyer thereof. EP. A loane remitted.

13 The Kings Mannours of Graunges, Colinghams, Bottes, Fennes, and Walſingham mannours.

and Marshes in the Countie of Norfolke, which sometime were parcels of the possessions of the late Abbey or Priory of Walsingham, shall and may be graunted by copie of court Roll in fee simple, for terme of life, or liues, by the Stewards of the said Mannors, their Vnderstewards, or Deputies, for such rents, seruices, fines, hariots, and customes, as in the said copies shall be specified. Which copies shall be good against the King, his heires, successors, and assignees. HR.

Tenure. Tenth. 14 The King may reserue vpon those Abbey lands which were dissolued by the Statute 27. H. 8. 27. not exceeding the yearely value of xl. s. a tenure, by knights seruice in Capite, or else a tenure in Socage, or free Burgage at his pleasure, with the yearely rent of the tenth part of the said lands. AP. Tenure 6. 37. H. 8. 20. 7. Ed. 6. 3.

Pauing of Cambridge. 15 All persons which haue any houses, lands, gardens, or other grounds in the Towne of Cambridge, adioyning vpon euery high way, streete, or lane, in his owne right, or the right of his wife, shall cause the same to be paued with pauing stone, vnto the middle of the same wayes, and in length as their grounds doe extend, vpon paine to forfeit vj. s. for euery yard square not sufficiently paued. HR.

Canons examined. 16 The King shall haue authoritie during his life, to name xxxj. persons, viz. xvj. Spirituall, and xvj. Temporall, to examine all Canons, Constitutions, and Ordinances prouinciall, and Synodall, & to establish all such Lawes Ecclesiasticall, as shall be thought by the King, and them, conuenient to be vsed in all spirituall Courts. EXP. 25. H. 8. 19. 27. H. 8. 15. 3. Ed. 6. 11.

Woods. 17 How many Standiles, and of what bignesse shall be left standing in euery acre of wood, at the felling thereof. How many yeares the same wood shall be preserued from cattell. How the Woods shall be vsed at the felling thereof, wherein others haue common. And how long they shall be kept seuerall. AB. Woods 1. &c. 13. Eliz. 25.

Pardon. 18 The Kings generall and free Pardon of all Treasons, felonies, robberies, &c. confirmed by parliament, except &c.

Statutes made at the Parliament begun and holden at *Westminster*, *Anno* 37. *H.* 8. & *Anno Domini* 1545.

Custos Rotulorum. ¶ 1 The Custos Rotulorum shall be appointed in euery Countie by bill assigned with the Kings owne hand. AL. 3. Ed. 6. 1. The Custos Rotulorum

Cl. of the Peace. shall in euery Shire appoint the Clerke of the Peace, who may occupie the same office by deputie. AB. Cl. of the peace 1.

Hounslow heath. 2 Hounslow heath in the Countie of Middlesex, which doth containe foure thousand two hundred fourescore and thirteene acres, and one rod of ground, extendeth into seuerall Parishes. So much thereof as is the kings inheritance, and is meet for tillage, pasture, meadow, or other seuerall ground, shall be of the nature and condition of Copyhold land. Or the same may be letten by the Steward of the Manour at will, or for xxj. yeares, which lesse shall or may improue it. HR.

Huntington lane. 3 Huntington lane neere the Citie of Chester, being in length two Miles and a halfe, shall be from time to time repayred by one that shall dwell in the said lane, & shall haue pasture for fiue kine or beastes in the high way, from Bothyl to Butterbach bridge. Sir William Stanley, and Sir Hugh Calueley, and their heires males being of full age, and in default of them, the Maior and

and Aldermen of Chester shall appoint the same party, and remoue him, if hée be negligent in repairing of any part of the said way. HR.

1.Ed.6.14. 4 All colledges, frée chappels, chaunteries, hospitals, fraternities, brotherhoods, and stipendarie priests, made to haue continuance for euer. And all their lands, tenements, and hereditaments shall bée in the disposition of the King during his life. AB. Monasteries 14. Chaunteries.

11.H.7 21. 23.H.8.3. 5 Who bée sufficient to passe vpon an Attaint brought in London, and in what place the same attaint shal be tried. AB. Attaint 14.15. Attaint.

6 It shall be felonie maliciously, willingly, and secretly, to burne, or cause to be burned, any frame of timber of another persons, prepared for the making of a house. HP. 1.Ed.6.12. If any person shall cut or cause to be cut out the head or damme of any pole, pond, stew, &c. he shall forfeit to the party greéued treble dammages, and to the King x.l. for a fine. AL. 5.Eliz.21. The penalty for the cutting of a pipe of a conduit: Or for the burning of a cart or waine loaden with coales, or other goods, or of any heap of wood prepared for coales, billets, or talwood: Or for the cutting out of the tongue of an other mans beast, or to cut off the eares of any of the kings Subiects: Or to barke fruit trées. AB. Burning 1. Conduit 1. Eares 1. Tame beasts 1. Barke 1. Burning of frames. Burning. Conduit. Tongue. Eares. Barke.

7 A repeal of so much of the Statute of 33.H.8.10. as toucheth the kéeping of vj. wéekes Sessions. And all the offences in the same statute mencioned shall be inquired of, punished, and reformed at the Quarter Sessions. AB. Iustice of Peace 20. 6.wéekes Sessions.

1.Ed.6.12. 8 The words Cum baculis, cultellis, arcubus, & sagittis, shall not of necessity be put in an Inditement. AB. Indictments 1. No person shall haue his Clergie, which is found guiltie for the stealing of any Horse, or which being thereof indited and arraigned, doth stand mute of malice, or froward mind, or challenge peremptorie aboue the number of xx. or will not answere directly to the same inditement and felonie. AB. Clergie 13. Inditment. Clergie.

3.H.7.6. 11.H.7.8. 13.Eliz. 8. 39.Eliz.18. 9 A repeal of all former Statutes made against Vsurie, shiftes, corrupt bargaines, and cheuisances. The seuerall penalties for taking of x.l. more or lesse for the forbearance of an C. l. for one yeare: And for selling of wares, and buying the same within three Moneths. AB. Vsurie 1. &c. Vsurie.

10 If any person shall deuise, or make any writing, comprising that an other hath spoken or committed high Treason, and the said writing shall cast or leaue in an open place, whereby it may be found, and shall not subscribe his name to the same, and within xv. dayes after personally appeare before the King, or his Councel, and affirme the contents of the same to be true, then he shall be adiudged a felon. HP. 1. Ed. 6.12. Slanderous billes.

11 Euery person which shall be owner of any parcell of Combe marshes, in the parish of East Grénewich in the County of Kent, shal be contributory towards the reparation of the said Marshes from time to time, after the rate of the acre, as other owners be charged. And when any tare shall be made, it shall be lawfull to the expenditors, and collectors, or one of them, to distraine the goods of such person which shall refuse to pay after that rate, and the same distresse to retaine, & vse, according to the Lawes of Romney Marsh. HR. Come Marshes.

27.H.8.21. 12 Euery person in London denying to pay his Tythes, oblations, or other duties, contrary to a decrée made by the Archbishop of Canterbury, and other arbitrators, shall be committed to prison by the Lord Maior of London, and in his default by the Lord Chancelor, vntill he hath agréed with the Curate &c. AB. Tithes 19. Tithes in London.

13 A repeal of the Statute of 34. H. 8. 6. ordeined for the making of Pinnes. Pinnes.

14 There

Scarborough Peere. 14 There ſhall be a Corporation, or bodie politike, of two perſons to be called for euer the Maſters, or keepers of the Peere or Key of Scarborough, in the Countie of Yorke, who ſhall haue authoritie to gouerne the workes of the ſame Key or Peere, to hire workmen, buy ſtuffe, and make prouiſion for euery thing thereunto belonging, which ſhall receiue yearely of euery owner of any meſſuages, lands, tenements, and hereditaments, or rents, within the liberties of Scarborough, the fift part of the yearely value of the ſame, towards the reparation of the ſaid Peere. For the which the ſaid Maſters or keepers may diſtraine. HR.

Woll. 15 No perſon, other then Marchants of the Staple, and their Factors, and ſeruants, to be ſhipped onely to the Staple: and other then ſuch as ſhall conuert the ſame into yarne, hats, girdles, or cloth, (and not to ſell againe) ſhall buy, or take promiſe of bargaine, of any Wools, of the growing of the Shires of Kent &c. vpon paine of forfeiture of the double value thereof: But euery perſon may bring his owne Woll to the open Market, and ſell it. No perſon ſhall buy or bargaine for any Woll, for any Marchant ſtraunger, vpon paine of forfeiture thereof. EP. 4.Ed.4.4. 4.H.7.11. 23.H.8.1. 27.Shires. 5.Ed.6.7.

Duchy lands. 16 The Manor of Ripon in the County of Yorke, late parcell of the poſſeſſions of the Archbiſhop of Yorke, & by him aſſured to the King, and his heires, and certaine other lands of the Kings, ſhall be annexed to the kings Duchy of Lancaſter. And all gifts, graunts, leaſes, letters patents, and other writings to be made by the King, his heires or ſucceſſors of the ſame, ſhall be vnder the ſeale of the Duchy of Lancaſter, and not vnder any other ſeale, and with the like liuerie of ſeiſin, attournements, ceremonies, orders, and circumſtances, as other the auncient poſſeſſions of the ſaid Duchy haue vſed, and ought to be made. Seuerall aſſurances made by the Archbiſhops of Yorke, and Canterburie, and the Biſhop of London, of diuers manors, lands, & tenements, to the King, his heires, &c. confirmed. The manour of Crondon, & Crondon Parke in Eſſex, aſſured to Sir William Peter, and his heires, which before was parcell of the poſſeſſions of the Biſhop of London. HR. 2.& 3.P.& M.20.

Biſhops lands.

Crondon.

Doctors of law. 17 Doctors of the Ciuill Law, if they be lay, married, or vnmarried, may exerciſe all manner of Eccleſiaſticall Juriſdiction. AB. Eccleſiaſticall &c. 44. 1.Eliz.1.

4.Honours. 18 The King during his life, may by his ioint or ſeuerall letters Patents, vnder the great Seale, and proclamation, make the Citie of Weſtminſter one Honour, the Towne of Kingſton vpon Hull an other, his Caſtle of Donington in the Countie of Berk. a third, and S. Oſith in the Countie of Eſſex a fourth Honour. And alſo ſo many other Honours as he will, & annex to them ſuch lands of his, as he will. The Freholders and Copyholders ſhall hold their lands as they did before. EP.

Fines. 19 Fines leuied and proclaimed before the Juſtices of Aſſiſe at Lancaſter, ſhall be of like force, as Fines acknowledged before the Juſtices of the common Place. AB. Fines 12.

Tenures. 20 An explanation of the Statute of 35. H. 8. 14. touching reſeruing of Tenures vpon lands graunted by the kings Letters patents. The King during fiue yeares may reſerue certaine other Tenures, and not in Capite vpon lands by him graunted in Fee ſimple, not exceeding the yearely value of xl.s. AL. 7. Ed. 6. 3.

Union. 21 There may be an vnion of two Churches in one, where they be not aboue a Mile diſtant, and one of them not aboue the yearely value of vj. li. AB. Eccleſiaſticall &c. 31. 1.Eliz.4.

22 The

2.Ed.6.32. 22 The Statute of 35. H. 8. 6. touching a Tales to be graunted de Cir- Tales.
cumstantibus, where a full Jury doth not appeare, continued vntill the end of the nert parliament.

23 Certaine Statutes made in the raigne of king H.8. continued vntill the last day of the nert Parliament. Exp. The Lords appointed by the Statute of 28. H. 8. 14. to set the prices of wines, shall yearely set the same wines.
prices, betweene the 11. day of November, and the last day of December. In what case Justices of peace, or other officers may sell other mens wines. AB. Wines 1.4.

24 A confirmation of a Subsidie graunted to the king by the Clergie, of Subsidie.
vj. s. in the pound to be paied in two yeares. Exp.

Statutes

Statutes made at Weſtminſter 4. die Nouembris, *Anno* 1. *Edward*. 6. *& Anno Domini* 1547.

Sacrament. 1 THe penaltie for vnreuerent ſpeaking againſt the Sacrament of the bodie and blod of Chriſt, or againſt the receiuing thereof vnder both kinds. AB. Sacraments 1. &c. 1.Eliz. 1.

Biſhops. 2 From henceforth no Conge deſlier ſhall be graunted, nor any election ſhall be made of an Archbiſhop or Biſhop, by the Deane and Chapter: But when any Archbiſhoprick or biſhoprick is voide, the king by his letters patents may conferre the ſame to any perſon whom he ſhall think méte. The which collation ſo made, and deliuered to the perſon to whom the king ſhall conferre the ſame, or to his Proctor or Atturney, ſhall ſtand to the ſame effect, as though a Conge deſlier had been giuen, the election duely made and confirmed. All Summons, Citations, and other Proceſſes Eccleſiaſticall ſhall bée made in the naine, and with the ſtile of the king, as in writs at the common law: and the Teſte thereof ſhalbe in the name of the Archbiſhop, biſhop, &c. All perſons that haue the exercíſe of Eccleſiaſticall iuriſdiction, ſhall haue in their ſeales of office the kings armes, with certaine characters vnder them, for the knowledge of the dioceſſe. But the Archbiſhop of Canterburie ſhall vſe his owne Seale, and his owne name in all faculties and diſpenſations. HP. 1.M.2.

Eccleſiaſticall Proces.

Vagabonds. 3 A repeal of al Statutes heretofore made for the puniſhmẽt of vagabonds, and of all articles compriſed in the ſame. If any perſon ſhall bring to two Juſtices of peace any runnagate ſeruant, or any other which liueth idly, and loyteringly by the ſpace of three dayes, the ſaid Juſtices ſhall cauſe the ſaid idle & loytering ſeruant or vagabond, to be marked with a hoat yron on the breaſt with the marke V. & adiudge him to be ſlaue to the ſame perſon that brought or preſented him, to haue, to him his executors or aſſignées for two yéres after: who ſhall take the ſaid ſlaue, and giue him bread, water, or ſmall drinke, and refuſe meat, & cauſe him to worke by beating, chaining, or otherwiſe, in ſuch worke and labour as he ſhal put him vnto, be it neuer ſo vile. And if ſuch ſlaue abſent himſelfe from his ſaid maiſter within the ſaid terme of two yeares, by the ſpace of xiiij. dayes, then he ſhall be adiudged by two Juſtices of peace to be marked on the forehead, or the ball of the chéeke, with a hot yron with the ſigne of an S. and further ſhall be adiudged to be ſlaue to his ſaid maiſter for euer. And if the ſaid ſlaue ſhal runne away the ſecond time, he ſhal be adiudged a felon. No Cleark conuict ſhall make his purgation, but ſhall bee a ſlaue for one yeare to him who will become bound with two ſuerties in xx.l. to the Ordinarie, to the Kings vſe, to take him into ſeruice. And he ſhall bée vſed in all reſpects as is aforeſaid, like to a vagabõd. A clerke attainted or conuict, which by the law cannot make his purgation, may by the Ordinarie be deliuered to any man, who wil become bound with two ſufficient ſuerties, to kéepe him as his ſlaue fiue yeares. And then he ſhall be vſed in all reſpects as is aforeſaide for a vagabond, ſauing for burning in the breaſt. It ſhall be lawfull to euerie perſon to whom any ſhall be adiudged a ſlaue, to put a ring of yron about his necke, arme, or legge. A Juſtice of peace and Conſtable may binde a beggers manchilde prentice to the age of xxiij. yeares, and a woman childe to the age of xx. yeares, to any that will require them. And if the ſaid childe runne away, then his maiſter may retaine and vſe him for the terme aforeſaid, as his ſlaue. All impotent, maimed, and aged perſons, who cannot be taken for vagabonds ſhall 22.H.8.12. 27.H.8.25.

Slaue.

Clarke conuict.

Beggers childzen.

ſhall haue conuenient houſes prouided for them, and otherwiſe bée relieued in the Cities, Boroughes, or Townes where they were borne, or were moſt conuerſant by the ſpace of three yeares, by the willing and charitable diſpoſition of the Pariſhioners. And none other ſhall be ſuffered to begge there. HP. 3. & 4. Edw. 6. 16. Beggers.

9.H.3.31. 1.Ed.3.13. 4 There ſhall be no Tenure in Capite of the King, by reaſon of lands comming to his hands by Attainder, Diſſolution, Surrender &c. Concluſion of Tenure by matter of Record. AB. Tenure 1.2.3. Tenure.

11.H.7.13. 22.H.8.7. 5 No perſon ſhall tranſport, ſell, or conuey any Horſe, Gelding, or Mare into Scotland, or beyond the ſea, without the K. licence. AB. Horſes 14. &c. But euery of the K. ſubiects may tranſport Horſes for their owne iournies, and not to the intent to ſell them. HP. 5. Eliz. 19. Tranſporting of horſes.

5.Ed.6.7. 37.H.8.15. 33.H.8.16. 6 Euery perſon dwelling in Norfolke or Norwich, may buy, and ſell againe Norfolke Woll in open market. AB. Wooll 4. Who may buy Worſted yarne in Norfolke, or Norwich. No Worſted yarne ſhall be tranſported. AB. Yarne 1.2. Woll. Yarne.

11.H.6.6. 7 The death of the King ſhall not diſcontinue any ſuit. The death, New Commiſſion, or Aſſociation of Iuſtices, ſhall make no diſcontinuance of certaine actions. The plaintifes preferment to a name of dignitie, ſhal not abate his ſuit. New Iuſtices may giue iudgement of a priſoner found guiltie. No ſuit before Iuſtices ſhall be diſcontinued by a new commiſſion. AB. Diſcontinuance 1. &c. Diſcontinuance of ſuites.

7.Ed.6.3 8 A Confirmation of all letters Patents, Indentures, and other writings made by the K. ſithence 28. die Ianuarij laſt paſt, or hereafter to be made during the K. life, of any honours, manors, lands, &c. notwithſtãding any miſnaming, miſrecitall, &c. AB. Patens 21. Confirmation

1.M.13. 9 It ſhalbe lawfull to the Maior and Recorder of the citie of Yorke, and to the Ordinary, or his deputy, and fiue Iuſtices of peace in the ſaid city, to vnite and knit together ſo many of the pariſhes in Yorke into a fewer number, as to them ſhalbe thought conuenient: ſo the cléere yearely value exceed not twenty pound: and ſo to proceed through the ſaid citie, and the ſuburbes thereof. And it ſhal be lawfull to the ſaid Maior &c. to pull downe the Churches which they ſhall thinke ſuperfluous there, and to beſtow the ſame towards the repaire and enlargement of other Churches, Bridges, and the reliefe of the poore: and alſo to appoint the Patronage and Preſentment, of the Churches ſo vnited, to the Patrons by turne. HR. Union in Yorke.

5.Ed.6.26 10 How Exigents and Proclamations ſhall bee awarded out of the Kings Bench, and Common Place, againſt any perſon dwelling in any of the twelue Counties in Wales, or in any of the Counties Palantine of Cheſter, or of the Citie of Cheſter. The Sheriffes of the foreſaid Counties ſhall haue Deputies in the ſaid Courts. Proces againſt perſons outlawed in any of the ſaid Counties in Wales. AB. Exigent 6.7.8.9. Exigents. Wales. Cheſter.

11 A repeale of the ſtatute of 28.H.8.17. which gaue authority to the king after his age of 24. yeares, to repeale by his letters patents all former ſtatutes made during his minoritie. An authority giuen to the ſaid K. Edward the firſt, and to euery heire of the late K. Henry the eight, & to euery perſon to whom the Crowne ſhall diſcend, remaine, or come, by his appointment, to repeale all ſtatutes made before his full age of 24. yeres, ſauing this ſtatute, and all pardons granted by Parliament. So that the ſaid repeale containe all ſuch acts as ſhall be repealed, and three ſeuerall dayes be openly proclaimed in the Chancerie in Terme time &c. and once in euery Countie at the Aſſiſes. HP. Repealing of Statutes.

Statutes made at Weſtminſter 4. die Nouembris, *Anno* 1. *Edward*. 6. *& Anno Domini* 1547.

Sacrament. 1 THe penaltie for vnreuerent ſpeaking againſt the Sacrament of the bodie and blod of Chriſt, or againſt the receiuing thereof vnder both kinds. AB. Sacraments 1. &c. 1.Eliz.1.

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ſhall haue conuenient houſes prouided for them, and otherwiſe bee relieued in the Cities, Boroughes, or Townes where they were borne, or were moſt conuerſant by the ſpace of three yeares, by the willing and charitable diſpoſition of the Pariſhioners. And none other ſhall be ſuffered to begge there. HP. 3. & 4. Edw. 6. 16. Beggers.

3.H.3.31. 1.Ed.3.13. 4 There ſhall be no Tenure in Capite of the King, by reaſon of lands comming to his hands by Attainder, Diſſolution, Surrender &c. Concluſion of Tenure by matter of Record. AB. Tenure 1.2.3. Tenure.

11.H.7.13. 22.H.8.7. 5 No perſon ſhall tranſport, ſell, or conuey any Horſe, Gelding, or Mare into Scotland, or beyond the ſea, without the K. licence. AB. Horſes 14. &c. But euery of the K. ſubiects may tranſport Horſes for their owne iournies, and not to the intent to ſell them. HP. 5. Eliz. 19. Tranſporting of horſes.

5.Ed.6.7. 37.H.8.15. 33.H.8.16. 6 Euery perſon dwelling in Norfolke or Norwich, may buy, and ſell againe Norfolke Woll in open market. AB. Wooll 4. Who may buy Worſted yarne in Norfolke, or Norwich. No Worſted yarne ſhall be tranſported. AB. Yarne 1.2. Woll. Yarne.

7 The death of the King ſhall not diſcontinue any ſuit. The death, New Commiſſion, or Aſſociation of Iuſtices, ſhall make no diſcontinuance of certaine actions. The plaintifes preferment to a name of dignitie, ſhal not abate his ſuit. New Iuſtices may giue iudgement of a priſoner found guiltie. No ſuit before Iuſtices ſhall be diſcontinued by a new commiſſion. AB. Diſcontinuance 1. &c. Diſcontinuance of ſuites.

11.H.6.6.

7.Ed.6.3 8 A Confirmation of all letters Patents, Indentures, and other writings made by the K. ſithence 28. die Ianuarij laſt paſt, or hereafter to be made during the K. life, of any honours, manors, lands, &c. notwithſtãding any miſnaming, miſrecitall, &c. AB. Patens 21. Confirmation

1.M.15. 9 It ſhalbe lawfull to the Maior and Recorder of the citie of Yorke, and to the Ordinary, or his deputy, and fiue Iuſtices of peace in the ſaid city, to vnite and knit together ſo many of the pariſhes in Yorke into a fewer number, as to them ſhalbe thought conuenient: ſo the cleere yearely value exceed not twenty pound: and ſo to proceed through the ſaid citie, and the ſuburbes thereof. And it ſhal be lawfull to the ſaid Maior &c. to pull downe the Churches which they ſhall thinke ſuperfluous there, and to beſtow the ſame towards the repaire and enlargement of other Churches, Bridges, and the reliefe of the poore: and alſo to appoint the Patronage and Preſentment, of the Churches ſo vnited, to the Patrons by turne. HR. Union in Yorke.

5.Ed.6.26 10 How Exigents and Proclamations ſhall bee awarded out of the Kings Bench, and Common Place, againſt any perſon dwelling in any of the twelue Counties in Wales, or in any of the Counties Palantine of Cheſter, or of the Citie of Cheſter. The Sheriffes of the foreſaid Counties ſhall haue Deputies in the ſaid Courts. Proces againſt perſons outlawed in any of the ſaid Counties in Wales. AB. Exigent 6.7.8.9. Exigents. wales. Cheſter.

11 A repeale of the ſtatute of 28. H. 8. 17. which gaue authority to the king after his age of 24. yeares, to repeale by his letters patents all former ſtatutes made during his minoritie. An authority giuen to the ſaid K. Edward the firſt, and to euery heire of the late K. Henry the eight, to euery perſon to whom the Crowne ſhall diſcend, remaine, or come, by his appointment, to repeale all ſtatutes made before his full age of 24. yeres, ſauing this ſtatute, and all pardons granted by Parliament. So that the ſaid repeale containe all ſuch acts as ſhall be repealed, and three ſeuerall dayes be openly proclaimed in the Chancerie in Terme time &c. and once in euery Countie at the Aſſiſes. HP. Repealing of Statutes.

Repeale of Stat. 12 A repeale of all Statutes whereby any acts or offences haue bẽn made high treaſon, or petite treaſon, ſithence the Statute of 25. Edw. 3. Or whereby any act or offence hath bẽne made felonie ſithence 23. die Aprilis Anno 1. H. 8. And of all Statutes touching, mentioning, or in any wiſe concerning Religion or opinions, viz of the Statutes of 5. R. 2. 5. 2. H. 5. 7. 25. H. 8. 14. 1. M. 1. 1. H. 4. 10.

Heretickes. Lollards. Concerning the puniſhment and reformation of Heretickes and Lollards: And of the Statute of the ſixe articles made 31. H. 8. 14. And of the Statute of 34. H. 8. 1. Touching bookes of the Teſtament in Engliſh: And of the Statute of 35. H. 8. 5. Concerning the qualification of the Statute of the vj. Articles: And of the Statute of 31. H. 8. 8. & 34. H. 8. 23. Concerning Proclamations made by the King with the aduice of his Counſell.

Treaſons. It ſhall bee high treaſon, by writing, printing, or any ouert act, to affirme, that the King is not ſupreame head in earth of the Church of England &c. Or that the Biſhop of Reme, or any other then the King is or ought to bee: Or to compaſſe to depriue or depoſe the King or his heires from his eſtate or title: Or to affirme that any other ought to be King. 26. H. 8. 13.

Clergie. HP. 1. M. Clergie and Sanctuarie taken away in certaine caſes, and from certaine offendors, and allowed in all other caſes of felonie. AB. Clergie 13. 15. Wilfull poyſoning ſhall be adiudged murther. In what caſes, and in what manner, a Lord of the Parliament ſhall haue his Clergie. And Bigamus ſhall be allowed his Clergie. AB. Clergie 17. 19. 2. E. 6. 33. 5. E. 6. 9.

Dower. The wife ſhall be endowed, though her huſband bee attainted of petite treaſon, miſpriſion of treaſon, murder, or felonie. AB. Dower 3. 5. Ed. 6. 11.

Subſidie. 13 A Subſidie of Tonnage and Pondage graunted to the King during his life. HP.

Chaunteries. 14 All Colledges, Chaunteries, free Chappels, Fraternities, Brotherhoods, Guilds, &c. and their Lands, Tenements, Goods, and Cattels ſhall bee in the actuall and reall poſſeſſion of the King, his Heires, and Succeſſors. A confirmation of all Graunts made of any parcell of any of them by King Henry the eight, or King Edward the firſt, to any perſon or corporation. A confirmation of all gifts and graunts made to King Henry the eight, or King Edward the firſt, by any Archbiſhop, Biſhop, Deane, Archdeacon, or other ſpirituall perſon, or by any Patron, Donor, or Founder of any of the ſayde Deanries &c. and of all, or any lands &c. to any of them annexed. AB. Monaſteries &c. 15. &c. 37. H. 8. 4.

Pardon. 15 The Kinges generall and free Pardon confirmed by Parliament. Except &c.

Statutes made at the Seſsion of Parliament holden by *prorogation at Weſtminſter 4. die Nouembris, Anno 2. E. 6. & Anno Dom. 1548.*

The booke of cõmon prayer. ¶ 1 The penalty for not vſing the booke of Common Prayer and Adminiſtration of the Sacraments, and other rites and ceremonies of the church, after the vſe of the church of England: Or for vſing any other manner of prayer, or adminiſtration of Sacraments: Or for depraying the ſaid booke, or any thing contained therein. AL. 1. Eliz. 2. 5. E. 6. 1.

Captaines. Souldiers. 2 The penaltie of a Souldier, for making away his horſe or harneis, or for departing from his Captaine without licence: And of a Captaine that licenceth his Souldier to depart without the aſſent of the Lieutenant &c. Or diſchargeth 4. & 5. P. & M. 3. 18. H. 6. 19.

chargeth one appointed to ſerue, or demaundeth more wages then is due. AB. Captaines &c. 1. 2.

3 No Purueior, or other perſon, by authority of any commiſſion, or other warrant, ſhall during three yeares next, puruey, or take for the prouiſion of the Kings houſhold, his ſiſters, or any other perſons, any Corne, Beeues, Muttons, &c. Wood, Coale, Straw, Hay, or any kind of victuals, without the full conſent of the owner, and at ſuch price, for ready money, as the owner and Purueior can agree: Or ſhall take for any of the Kings affaires, or the warres, or otherwiſe any goods, cattels, or other things whatſoeuer (ſauing Barges, Shippes, Carts, and thinges neceſſarie for carriages) without conſent of the owner, and at ſuch prices for readie money, as the owner and Purueyor can agree (except poſt horſes, for which ſhall bee payed a penny a myle.) And if any Taker, or other perſon ſhall offend in any point contrarie to the ordinance aforeſaid, hee ſhall forfeit to the partie grieued treble the value of the thing taken, ſuffer impriſonment a quarter of a yeare, and make fine at the Kings pleaſure. The King will allow to the owner of euery cart taken for his houſhold iiij. d. a myle, for the warres and other carriages iij. d. a myle. EXP. Purueiance.

4 A repeale of the ſtatute of 34. H. 8. 16. touching Sherifes allowances vpon their accompts. All Sherifes ſhall haue ſuch allowances, as they haue heretofore had, and ſhall be diſcharged vpon their accompts, of ſuch ſummes of money which they cannot leuie. And euery Sherife ſhall be ſworne to deliuer into the Exchequer Rolles of parchment of al ſuch ſummes of money which he hath, or might haue leuied. The Treaſurer, Barons, &c. of the Exchequer, ſhall award out ſuch proces as they ſhall thinke good, for the leuying of the Kings auncient rights vniuſtly withholden: The Sherife of Northumberland ſhall put in ſureties in the Exchequer. AB. Sherifes 38, 39. Sherife. Exchequer.

5 Cities, Boroughs, and Townes corporate, in England and Wales, ſhal bee remitted of ſuch Fee Farmes as they ought to pay to the King for three yeares. And the money gathered of the ſayd Fee Farmes during thoſe three yeares, ſhall be imployed about the repayring of Walles, or Bridges, ſetting the poore on worke, or other good deedes in euery ſuch Citie, or &c. AL. 3. Edw. 6. 18. Fee farmes remitted.

6 There ſhall be no exaction by the Admirall, or any of his officers, of any Marchant or Fiſherman, trauailing for Fiſh. AB. Fiſh 2. Fiſherman.

7 Thoſe Pentioners that by the craftie practiſe of others, did ſell them ſuch Pentions as by the Kings Patents were graunted vnto them out of Abbey or Religious lands, for life, ſhall haue their Pentions againe, So that they pay or tender ſo much money as they receyued for their ſayde Pentions. EXP. Pentions.

8 Vpon Inquiſitions taken of lands, the intereſt of other perſons ſhall be ſaued therein, though they be not found by Office. AB. Office 1. A Remedie where an heire of full age is found by Office to be within age. AB. Liuerie 3. Trauerſe to an vntrue Office, found after the death of the Kings tenant: Or vpon Attainder of Treaſon, Felonie, &c. Or when the King is intituled to a Tenure, where none is: Vpon a Trauerſe, a Scire facias ſhall bee awarded againſt the Kings Patentee. AB. Trauerſe 2. &c. A remedie where Tenures be vncertainely found by Office. AB. Tenure 4. How the meane Lords ſhall bee anſwered their Chiefe Rent, during the minoritie of the Kings Ward. AB. Wards 17. Inquiſition. Trauerſe. Tenures. Chiefe rent.

9 A confirmation of all former ſtatutes made concerning Tanners, Curriers, and Cordwainers. The ſeuerall duties of Curriers, Cordwainers, Coblers, Sadlers,

Leather. Sadlers, Girdlers, Leatherſellers, &c. in vſing, cutting, making, or ſelling of their wares, and of ſearchers to view, ſearch, and ſeale the ſame. The penaltie of tranſporting of leather. Of what quantity a Tanner ſhal cut his ſole leather. HP. 5. Eliz. 8. 1. Iacob. 22. 3. E. 6. 6.

Mault. 10 How long Barley Mault ſhall be in the fat, floure, ſteeping, and dryng. Good Mault ſhall not be mingled with bad. Mault ſhalbe well troden, rubbed, and fanned. AB. Mault 1. &c. 1. Iac. 25. 27. Eliz. 14.

Tanner. 11 No Tanner ſhall put any tanned leather to ſale (ſauing calues ſkins) tanned or mixed with aſhen barke, tapworth, meale, or Culuer dung, and vnleſſe it hath lien in the tanne woxes ſufficiently wrought three quarters of the yeare at the leaſt: Nor ſhall ouerburne with lime any hides: Nor ſhall ſet his fats in tanne hils: Or ſhall put any hot liquor or woxes in the fats wherein hides ſhalbe put to tanning: Or ſhal practiſe any other way for the ouer ſpeedy tanning of hides, or whereby they ſhall be burned or ſcalded: Or ſhall cut any hide of ſteere or cow to make clout leather thereof: Or ſhall tanne any ſheepe ſkinnes, vpon paine to forfeit the ſame leather &c. and vj. s. viij. d. for euery hide &c. EXP. 1. Eliz. 9.

Duke of Somerſet. 12 A confirmation of all leaſes, and graunts by copy of Court Rol for life, or liues, not exceeding three liues of any lands of the duke of Somerſets, called Bartons lands, or demeſne lands, made, or to be made, by the ſaid dukes aſſignees to any perſon. HR.

Tithes. 13 Predial Tithes ſhal be ſet forth in their kind to the parſon or vicar &c. The Tithe of cattell feeding in waſt grounds, of barren heath, of marchants, handicrafts men, and of fish. Pow offerings ſhalbe paid. Where, and by what means the party grieued ſhal haue his remedy for tithes withholde. AB. Tithes 25. &c. He that will ſue for a Prohibition, muſt deliuer to a Iudge of the court a copie of the libell. AB. Prohibition 10.

Prohibition.

Gunnes. 14 The penalty for ſhoting with a hand-gunne in a citie or towne, at a marke, or for ſhoting with haile ſhot. AB. Gunnes 4. 10. 11.

Artificers. Labourers. 15 The puniſhment of Victuallers, conſpiring not to ſell their victuals but at certaine prices: and of Labourers conſpiring touching their workes. AB. Artificers 1. He ſhall forfeit v. l. to the King and Iuſtice, which doth denie or diſturbe a Maſon, Carpenter, &c. to worke in any Citie, Borough, or Towne Corporate, where he doth not dwell. HP. 3. Edward. 6. 20.

Keepers of Caſtles. 16 The King ſhal haue authority to remoue ſuch as haue by letters patents the keeping of Caſtles, Fortreſſes, or Bulwarkes, giuing to them as good fees, wages, and profits, and of ſuch like eſtate, and as good aſſurance in the ſame, as they had in the other. EXP.

Sir William Sherington. 17 A confirmation of the attainder of Sir William Sherington, who was indited, and attainted by confeſſion, of high treaſon, for the counterfeiting of Meſtons, to the value of xij. M. l. HR. 3. Ed. 6. 13.

Sir Thomas Seimor. 18 Sir Thomas Seimor, Lord Seimor, Lord Admirall, attainted of high treaſon, for attempting to get into his cuſtodie the perſon of the King, and the gouernment of the Realme, for obtaining many offices, retayning many men into his ſeruice, for making great prouiſion of money and victuals, and for endeuouring to marry the Lady Elizabeth, the Kings ſiſter, and for perſuading the King, in his tender age, to take vpon him the rule and order of himſelfe. All perſons ſhall be paid ſuch debts as the ſaid Lord Seimor did owe them. HR. 3. Ed. 6. 14

19 A repeale of all Statutes, Lawes, Conſtitutions, and Vſages, heretofore made or vſed in this Realme, concerning faſting from any kinde of meats.

5.E.6.3. meats. No perſon ſhall eat any fleſh vpon any Friday, or Saturday, Embring day, in the Lent, nor in any day heretofore vſed commonly as a fiſh day within this Realme, vpon paine of forfeiture of 10.s. But this Act ſhal not extend to Saint Lawrence euen, Saint Marks day, or other day or euen being abrogat. AB. Holy daies 4. — Faſting daies

26.H.8.3. 20 An Incumbent of a ſpirituall liuing, making default of paiment of his Tenth due to the King, after lawfull demaund made thereof, ſhal be depriued of that only Benefice, out of the which the ſame tenth is paiable. AB. Eccleſiaſt. &c. 29. — Tenthes.

1.M.1. 1.Iac.25. & 6.E.6.12 21 All Lawes, Canons, Conſtitutions, &c. which doe prohibite marriage to any ſpirituall perſon, that by Gods law may marry, ſhall be void. AB. Matrimonie 2. — Matrimonie.

3.H.7.7. 1.H.8.5. 22 The penalty for cuſtoming of other mens goods, whereby the K. loſeth his dutie. AB. Cuſtomes 19. — Cuſtoming.

1.Eliz.1. 23 A repeale of ſo much of the ſtatute of 32.H.8.38. as maketh that marriage indiſſoluble which is contracted and ſolemnized in the face of the Church, and conſummate with bodily knowledge, and fruit of child, notwithſtanding any Precontract of matrimonie. And the reſtone of the ſaid Stat. confirmed. AB. Matrimonie 1. — Precontract.

24 The tryall of a manqueller, that poyſoneth or ſtriketh a man in one County, which dieth in another. Where in that caſe the appeale of murder ſhal be brought. Triall of an accellory in one County, to an offence done in another. AB. Triall 1.2. — Triall.

25 Countie Courts ſhall bee kept monethly. The Sherife of Northumberland ſhall keepe his Countie Court in Alnewicke. AB. Countie 1. 2. — Coũty courts

26 White Aſhes ſhall not be ſhipped or carried ouer the ſea. AB. White Aſhes 1. — Aſhes.

27 The penalty for forging, or putting to ſale any gads of yron, like to the faſhion of gads of Steele. AB. Steele 1. — Steele.

43.Eliz.15. 28 The force of fines leuied before the high Iuſtice of Cheſter, or the Deputie or Lieutenant, of lands in Cheſhire. AB. Fines 13. — Fines.

25.H.8.6. 5.El.17. 29 An offendor in Buggerie being attainted by confeſſion, verdict, or outlarie, ſhall ſuffer death as a felon, without loſſe of lands or goods, or corruption of bloud. HP. 1.M.1. — Buggerie.

30 The Mayor and Iurates of Rie and Winchelſey, in the Countie of Suſſex, ſhall appoint conuenient places to lay on all balaſt that ſhall bee caſt out of any ſhippe, or other veſſell, which ſhall come within the roade there, to receiue any lading. And all balaſt caſt out of any ſhippe, ſhall bee layed vpon the ſayd appointed place, vpon paine of forfeiture of forty ſhillings for euery Tunne of Balaſt caſt out contrarie to the forme aforeſayd. HR. — Rie and Winchelſey.

31 All Recogniſances of Statute Marchant, and Acton Burnel, acknowledged before the Mayor of Cheſter, ſhall bee good in Law. AB. Statutes 1. — Statutes Cheſter.

18.El.13. 32 The ſtatute of 32.H.8.30. concerning Ieofailes, Miſpleading, Atturneyes, and of 35.H.8.6. touching graunting a Tales de Circumſtantibus at the Plaintifes requeſt, made perpetuall. AB. Ieofailes 1. Atturñ 13. Iurors 23. — Ieofailes. Atturneyes. Iurors.

1.Ed.6.12. 33 Whoſoeuer ſtealeth any Horſe, Gelding, or Mare, ſhall not haue the benefit of his Clergie, or Sanctuarie. AB. Clergie 13. — Stealing a horſe.

34 The Sherife of Northumberland, before he receiue his patent, or &c. — Sherife of Northumb.

ſhall put in ſureties in the Exchequer, as all other Sheriffes doe. AB. Sherife 39.

Subſedie. Clergie. 35 A confirmation of a Subſedie graunted by the Clergie to the King, of vj.s. in the pound, to be paied in iij. yeares. EP.

Reliefe Temporaltie. 36 A confirmation of a Reliefe graunted to the King by the Temporalty, out of ſheepe, clothes, goods, debts, &c. to be payed in three yeares. AL. 3. & 4. Edw. 6. 23.

Braſſe. 37 No perſon ſhall load or ſhip, to the intent to carry beyond the Seas any Braſſe, Copper, Latten, bell mettal, &c. He that ſhippeth them, ſhalbe bound to diſcharge them within this Realme. None of the ſame mettall ſhalbe ſhipped, but where there is a Cuſtomer. AB. Braſſe 1. &c. 21.H.8.10. 33.H.8.7.

Calice. 38 The ſtreets, lanes, wayes, and cauſeyes in Calice ſhall be paued. And all the houſes there ſhalbe couered with tiles, or ſlates. HR.

Pardon. 39 The Kings generall and free Pardon confirmed by Parliament, Except &c. EP.

Statutes made at the Seſsion of Parliament holden by *prorogation at Weſtminſter 4. die Nouembris, Anno 3. Edw. 6. & Anno Domini* 1549.

Cuſtos Rot. ¶ 1 The Lord Chancelor of England, or Lord Keper of the great Seale, ſhal appoint the Cuſtos Rotulorum in euery ſhire of England, and Wales. AB. Cuſtos Rotulor 1. 37.H.8.1.

Cloth. 2 In euery towne not corporate where Cloth ſhal be made, the Juſtices of Peace ſhall appoint ouerſeers for the true making of woollen Cloth. The ouerſeers authority. A penalty for refuſing to be ouerſeer, or for not ſearching, or for interrupting ouerſeers. Dying of Cloth. Decupping of yron cards or pickards. The meaſure of Cloth. AE. Drapery 45.46.47.48.49.65.66.67. No Cloth ſhal be ſtrained or ſtretched aboue a yard and half in length, and a quarter of a yard in breadth. AL. 5. Ed. 6. 6. 39.El.20. 43.Eliz.20.

Approuement 3 Euery perſon which ſhal bring an Aſſiſe vpon any braunch of either of the Statutes of 20. H. 3. 4. or 13. Ed. 1. 46. touching approuement of Walks &c. ſhal haue their damages trebled. To what houſes or grounds the ſame ſtatute ſhall not extend. AB. Approuements 5. 7.

Exemplificat. 4 An Exemplification of the Kings letters patents vnder the great Seale, ſhall be of as good force, as if the letters patents were ſhewed. AE. Exemplification 1. 13.El.6.

Vnlawfull aſſemblies. 5 It ſhalbe high treaſon for twelue perſons, or aboue, being aſſembled together, to attempt to kill or impriſon any of the K. Councell, or to alter any lawes, and to continue together by the ſpace of an houre, being commanded by a Juſtice of Peace, the Shetife or Maior &c. to retire. And it ſhalbe felony for twelue or aboue to practiſe to deſtroy any Parke, Pond, Conduit, or Douehouſe: Or to haue common, or way in any ground: Or to pull down any houſes, barnes, mils: Or to burne any ſtacke of corne: Or to abate the rents of any lands, or the prices of any victuall, and to continue together an houre, being commanded by a Juſtice of Peace &c. to returne &c. EP. 1. M. 12.

Leather. 6 All artificers vſing the cutting of leather may buy and ſel all tanned leather curried, or not curried, ſo that the buiers do conuert the ſame into any kind of wares made of tanned leather, notwithſtanding the Statute of 2. & 3. Edward. 6. 9. EP.

7 A Repeale of ſo much of the Statute of 25.H.8.11. as concerneth the taking of Wildfowle with Nets or other Engines: and the reſidue of the ſame Statute confirmed. Wildfowle.

8 The Statute of 23.H.8.5. touching Commiſſions of Sewers, made perpetuall. Summes of money rated by vertue of the ſaid Commiſſion vpon any of the Kings lands, ſhall be leuied by diſtreſſe, or otherwiſe. What Fées ſhall be paid for any ſuch Commiſſion or Dedimus poteſtatem ſued out vnder the ſeale of the Duchy. AB Sewers 1.8.19. A Commiſſion of Sewers ſhall continue fiue yeares. AL 13.Eliz.9. Sewers.

9 No perſon ſhall buy any raw Hides or Calues ſkinnes to ſell againe vntanned, vpon paine to forfeit for euerie ſkinne vj. s. viij. d. HP. 5. Elizab.8. Raw hides.

10 All Bookes called Antiphoners, Miſſales, Grailes, Portuaſſes, Primers in Latine or Engliſh, and other Bookes vſed for ſeruice in the Church, (ſauing ſuch as ſhall bee ſet forth by the Kings authoritie) ſhall bee clearely aboliſhed. Euerie perſon that ſhall haue in his cuſtodie anie of the Bookes aforeſaid, or any Images grauen, painted, or carued, taken out of any Church or Chappell, ſhall deface the Images, and deliuer the Bookes to the Maiors, Conſtables, or Churchwardens, to bee by them deliuered to the Biſhop, Chauncellor, or Commiſſarie, to be openly burned or defaced. But this ſhall not extend to any Image or picture graued vpon any Tombe, which hath not beene commonly reputed for a Saint. But any perſon may keepe Primers ſet forth by King H. 8. ſo that Inuocation to Saints bee blotted foorth. HP. 1. M.3. Bookes. Images.

25.H.8.19. 27.H.8.15. 35.H.8.16. 11 The King during three yeares ſhall haue authoritie by the aduice of his Counſell, to name xxxij. perſons, to examine the Eccleſiaſticall lawes, and to gather and compile ſuch lawes, as ſhall bee thought to him, his Counſell, and them, conuenient to be practiſed within this Realme in al Spiritual courts: ſo that any law to be ſet forth be not contrary to any common Law or Statute of this Realme. HP. Eccleſiaſticall Lawes.

12 Such forme of making and conſecrating of Archbiſhops, Biſhops, Prieſts, Deacons, and other Miniſters of the Church ſhall bee vſed, and none other, as by fiue Prelates, and fiue other men, learned in Gods Law, (to be appointed by the King) or the moſt number of them, ſhall bee deuiſed and ſet forth vnder the great Seale, before the firſt day of Aprill next. HP. 1. Mar.3. Biſhops. Prieſts.

2.&3.Ed.6.17. 13 Sir William Sherington of Laicoke in the Countie of Wiltſhire knight, attainted of high Treaſon (whom the King hath pardoned) ſhall bee reſtored in bloud. HR. Sir William Sherington.

2.Ed.6.18. 14 Marie Seimor, daughter to Sir Thomas Seimor, Lord Seimor, Lord Admirall, and of Queene Katherine, ſhall bee reſtored onely in blood, but not to her fathers lands. Marie Seimor.

1.Eliz.15. 15 The penaltie for publiſhing any phantaſticall or falſe prophecie, vpon occaſions of Armes, Fields, Beaſts, &c. to the intent to make Rebellion, Diſſention &c. HP. Prophecies.

16 A Repeale of ſo much of the Statute of 1.Ed.6.3. as tendeth to make vagabonds ſlaues. The Statute of 22.H.8.12. ſhall bee reuiued, which doth appoint how impotent and aged perſons ſhall be relieued, and vagabonds puniſhed. And all other Statutes made for the puniſhment of Vagabonds, ſlaues, aged, and impotent perſons, and euerie clauſe and ſentence in euerie of them contained, ſhall be repealed. Common Labourers in huſbandrie which doe loiter, and be idle, when they haue reaſonable wages offered, ſhall be puniſhed Vagabonds. Poore. Repeale.

niſhed as Vagabonds. Maimed, lamed, ſore, aged, and impotent perſons ſhall be relieued and cured, and habitations prouided for them, by the deuotion of good people of that Citie, Towne, or Village where they were borne, or haue laſt dwelt three yeares. A beggers child aboue fiue yeares of age, may be taken into ſeruice by any that will. EXP. 14. Eliz. 5.

Hunting. 17 The Statute of 31. H. 8. 12. touching the wrongfull hunting or entrie into any Foreſt, Chaſe, or Park of the Kings, or &c. or into any other ground of his, vſed for the nouriſhing of Deere, and of 32. H. 8. 11. concerning the vnlawfull killing of any Deere within any Parke, Chaſe, &c. reuiued for three yeares. EXP.

Fée farmes. 18 The Statute of 2. & 3. Edw. 6. 5. touching the Kings releaſe of Fée Farmes to Cities, Boroughes, &c. for three yeares, confirmed for the firſt yere onely, and repealed for the laſt two yeares. EXP.

Cattell. 19 No cattell ſhall bée bought, but in the open Faire, or Market, ſauing by a Butcher, or for prouiſion of Houſhold, Teame, or Dairie. AB. Cattell 2. 1. Iacob. 15.

Artificers. 20 So much of the Statute of 2. & 3. Ed. 6. 15. repealed, as concerneth the denial of certaine Artificers, to worke in Cities or Townes where they dwel not.

Butter and Cheſe. 21 Butter or chéeſe ſhall not be bought to be ſold againe, except it be by retaile, in open ſhop, Faire, or Market. AB. Butter &c. 1. 1. Iac. 25.

Artificers. 22 No Clothmaker, Fuller, Sheareman, Weauer, Taylor, or Shomaker, ſhall retaine in any of the ſaid Crafts a Journeyman, to worke by tayle worke, or by great, for any time vnder one quarter of a yere. And euery Journeyman being required, ſhall ſerue for a quarter of a yeare, halfe a yeare, or a whole yeare. Euerie perſon of any of the ſaid Crafts, which ſhall haue three apprentises, ſhall kéepe one Journeyman. Seruants in Huſbandrie, and Bargemen ſhall ſerue by the whole yeare, and not by day wages. EXP. 5. Eliz. ab. 4.

Reliefe. 23 A relieſe graunted to the King out of Shéepe, and Clothes, by the Statute of 2. & 3. Edw. 6. 36. releaſed. And the Reliefe graunted of and for goods, ſhall continue. And a Subſidie graunted to the King of ry. d. in the pound of goods, to be paid after the three yeares mentioned in the ſaid former ſtatute. EXP.

Subſidie.

Pardon. 24 A Confirmation by Parliament of the Kings free and general pardon: Except &c. EXP.

Statutes made at the Seſsion of Parliament holden vpon *prorogation at Weſtminſter 13. die Ianuarij, Anno 5. Edw. 6. & Anno Domini* 1551.

Common Prayer. ¶ 1 Euery perſon ſhall reſort to his Pariſh Church, or Chappell accuſtomed &c. vpon euerie Sunday and Holy day. The Booke of Common Prayer is peruſed, and ſet forth by authoritie of this Parliament: and a forme of making and conſecrating of Archbiſhops, Biſhops, Prieſts, and Deacons. The penaltie for being preſent at any other forme of Common Prayer, Adminiſtration of Sacraments, or making of Miniſters, is for the firſt offence ſixe monethes impriſonment, for the ſecond twelue monethes impriſonment, and for the third, impriſonment during his life. AB. Sacraments 2. 1. Eliz. 2.

Biſhops.

2 The

Vagabonds poore.

2 The Statute of 22.H.8.12.& 3.& 4. Ed.6.16. touching Vagabonds and idle perſons, reuiued. The poore and impotent people of euerie Pariſh, ſhall be relieued with that, which euerie inhabitant of his charitable deuotion will weekely giue. HP.14.Eliz.5.

Holy dayes.

2.& 3.Ed.6. 19. 3. Which daies onely in the yeare ſhall be Holy daies, and which ſhall be Faſting daies. AB. Holy daies 1.&c. S.1.Ma.2.& 1.Iac.25. & Q.

Fighting.

4 The ſeuerall penalties for chiding, ſmiting, or drawing of a weapon, to ſtrike another in a Church or Churchyard. AB. Fighting.2.3.4.

Tillage.

7.H.8.1. 27.H.8.22. 5 So much land ſhall be put in Tillage, and ſo continued, as was at any time in Tillage (and ſo kept foure yeares) ſithence Anno 1.H.8 vpon paine, the offender to forfeit fiue ſhillings an Acre. But this Act ſhall not extend to any land conuerted, or to be conuerted into paſture for the maintenance of the houſe of any perſon: Nor to land that hath commonly lyen paſture 40. yeares laſt paſt: Nor to waſt Grounds, Heathes, common Downes, Fennes, Moores or Marſhes, that haue not beene commonly tilled 40. yeares laſt paſt: Nor to any Warreine for Conies, or Parke for Deere: nor to any ground ſtubbed: nor to any ſalt or ſurrounded Marſhes: nor to any ground incloſed by the Kings Licence: nor to any Orchard, Gardeine, Poole, or Pond-yard: nor to any Meadow-ground yearely mowen for Hay: nor to any land ſet with Saffron or Hoppes, or ſowne with Hempe, Flaxe, Woad, or Madder, or ſowne with Acornes, or ſet with Wood, during ſuch times as the ſame ſhall be vſed to the entents before ſpecified. Neither ſhall this Act extend to any that hath, or within one yeare ſhall conuert ſo much Paſture into tyllage within the ſame Pariſh, Towne, Village, or Hamlet. HP. 5. Eliz.2.

Clothes.

4.P.& M.5. 6 Of what length, breadth, and weight, ſeuerall ſorts of Clothes ought to bee. The ſeuerall forfeitures, if the ſame doe faile. Searching and ſealing of Cloth. AB. Draperie 5.&c. A repeale of all former Statutes, concerning the making, dying, dreſſing, preſſing, ſearching, or ſealing of any Clothes, mentioned in this Act.

Wools.

2.& 3.P.& M.13. 1.Ed.6.6 7 What perſons onely may buy Wools, and to what purpoſes. At what time of the yeare a Marchant ſtranger may buy wooll. How long any perſon may keepe his wooll vnſold. AB. Wools 1.&c.

Weauer.

2.& 3.P.& M.11. 8 No perſon ſhal weaue or make, or put to weauing or making, any broad woollen cloth to be ſolde, vnleſſe he hath bene apprentice to the ſame occupation, or bene practiſed therein vij. yeares before, vpon paine of forfeiture of all the cloth ſo wouen. AL.1.M.7.

Clergie.

1.Ed.6.12. 9 No perſon robbing any houſe, boothe, or tent, by day, or night, ſhall haue the benefit of his Clergie. AB. Clergie 13.

Clergie.

10 The Statute of 25. H. 8. 3. ſhall ſtand in full force, which taketh away the benefit of Clergie from him which is attainted in one countie for felonie committed in another, if he might not haue had his Clergy in that other, notwithſtanding a clauſe comprized in the Statute of 1. Ed. 6. 12. AB. Clergie 17.

Treaſons.

26.H.8.13. 13.Eliz.1. 14.Eliz.1. 11 It ſhall bee high treaſon for any perſon directly to affirme by writing, printing, painting, carning, or graning, that the king is an heretike, ſchiſmatike, tyrant, infidell, or vſurper of the Crowne: Or rebelliouſly to detaine from the king any of his caſtles or holds, or any of his ſhips, ordnance, artilerie, or other fortifications of warre. HP. 1. M. 1. Before whom treaſons ſhall bee tried that be committed out of the Realme. Proces of Outlarie awarded againſt offendors in treaſon beeing out of the Realme, ſhall be effectuall in law. AB. Treaſons 10. 11. The Wife ſhall not bee endowed if her huſband be

35.H.8.2. 1.Ed.6.12.

be attainted of treaſon. AB. Dower 3.

Marriage of Prieſts. 12 The marriage of Prieſts and other ſpiritual perſons ſhall be adiudged lawfull. Their children ſhalbe legitimat. They ſhalbe tenants by the courteſie after the death of their wiues, & their wiues ſhalbe endowed of their lands. AB. Matrimonie 5. 6. 7. 1.Iac.25. 2.&3.Ed.6.21.

Religious perſons. 13 Euerie religious perſon ſhal be adiudged as heire, or inheritable to his auncestor, onely from the time of his dereignment. AB. Abilitie 3. 31.H.8.6.

Forestallers. Regrators. Ingrossers. 14 Who ſhall be adiudged a Forestaller, who a Regrator, and who an Engroſſer. The punishment of them. What perſons may regrate, and ingroſſe, and for what cauſes. AB. Forestallers 1. &c. No perſon may buy cattell, and ſell them againe aliue within fiue weekes. AB. Cattell 1. 13.El.25. 5.El.12.

Leather. 15 What perſons, and for what purpoſes, may buy and ingroſſe tanned Leather, and ſell the ſame againe. No perſon ſhall tranſport Shoes, Boots, &c. AB. Leather 51. &c. 1.M.8. 1.Eliz.8.

Offices. 16 The penaltie for buying or ſelling of ſome ſort of Offices. And what Offices may be graunted as before, and by which perſons. AB. Offices 4. 5. 6.

Continuance of Statutes. 17 Seuerall Statutes made in the raignes of King Henry the eight, and King Edward the ſixt, reuiued, and continued vntill the laſt day of the nert Parliament EP.

Engliſh ſhips 18 An alteration of the Statute of 4. H. 7. 10. reſtraining the bringing of Gaſcoine or Guian Wines, or Tholouſe Woad into this Realme, but in Engliſhmens ſhips. 5.Eliz.5. 1.Eliz.13.

Money. 19 The penaltie for exchaunging, by giuing or receiuing for money more then is currant. AB. Money 1.

Vſurie. 20 No perſon by any meane ſhall lend or forbeare any ſumme of money for any maner of Vſurie, or encreaſe, to bee receiued or hoped for, aboue the ſumme lent, vpon paine to forfeit the ſumme lent, and the encreaſe, impriſonment, and fine at the Kings pleaſure. EP. 13. Eliz. 8.

Tinker. Pedler. 21 No Tinker, Pedler, or petite Chapman, ſhall wander abroad from the towne where hee dwelleth, or exerciſe the trade of a Tinker, but ſuch as ſhall bee licenced by two Juſtices of Peace, or more, vnder their hands and Seales, vpon paine of fouretæne dayes impriſonment. EP. 1. Iacob. 25.

Gigmill. 22 Whoſoeuer occupieth any Gigmill in the workemanſhip of a woollen cloth, ſhall forfeit v. l. AB. Draperie 66.

Vpholſter. 23 What ſtuffe ſhal be put in Featherbeds, Bolſters, Pillowes, Quilts, Matreſſes, and Cuſhions. AB. Vpholſters 1. &c. 11.H.7.19.

Couerlets. 24 Who may make Felts, Thrummed Hats, Couerlets, or Dornikes in Norwiche, or Norfolke: And in what places there they may bee made. AB. Couerlets 5. &c.

Alehouſe. 25 Juſtices of Peace may diſcharge common ſelling of Ale, or Beere. The penaltie for keeping of an Alehouſe without Licence. AB. Alehouſe 1. &c. 11.H.7.2. 1.Iac.9.

Lancaſhire. 26 A Proclamation ſhall bee directed to the Sheriffes of the Countie of Lancaſter, vpon an Exigent awarded out of the Kings Bench or Common Place, againſt any perſon of the ſame Countie. The Sherife of Lancaſter ſhall haue Deputies in thoſe Courts. The Sheriffes Forfeyture, for not returning a Writte of Proclamation. AB. Exigents 6. 7. 8. 10. 11. 1.Ed.6.10.

Statutes

Statutes made at the Parliament holden at Weſtminſter *1. die. Martij, An. 7. Ed. 6. & An. Dom. 1552.*

¶ 1 Certaine Officers accomptant to the King, ſhal be bound with ſure- Accomptant to the King.
ties for their true account, and paiment. Auditors and Receiuers ſhall make Precepts to particular accomptants. A remedie for the Kings Receiuer, or Bailife, for the leuying of the Kings Rents withholden. Within what time the Kings Receiuers and ſome other accomptants ſhall make their accompts and paiments. AB. Accompt 10. &c.

2 The Court of Augmentations was erected by the Statute of 27. H. 8. 27 Courts
The Court of firſt Fruites by the Stat. of 32. H. 8. 45. The Court of Wards by the Stat. of 32. H 8. 46. And the Court of general Surueiors by the Stat. of 33. H. 8. 39. After which the ſaid King H. 8. did diſſolue the ſaid Court of Augmentations, and the Court of generall Surueiors: and the Officers of the ſame Courts did ſurrender their Patents & Offices to the King. And af- Augmentat
ter the ſaid King H. 8. by his Letters Patents erected one other Court, called the Court of Augmentation, & Reuenues of the Kings Crown, & appointed diuers Officers of the ſame. Which Letters Patents be confirmed & ſhall bee
1. M. 10. as good, as if they had been made by Act of Parliament. The King may at any time during his life, by his Letters patents vnder ỳ great ſeale, alter, change, vnite, tranſpoſe, diſſolue, or determine al or any of the ſaid Courts, and reduce them to one, two, or more, or to any other Court of Record, or erect any other new Court or courts. EXP.

1. Ed. 6. 8 3 A confirmation of all Letters Patents made by King H. 8. ſithence 4. Patents.
27. H. 8. 27. die Februarij. Anno. 27. of his raigne, & by K. Ed. 6. ſithence 28. die Ianuarij,
37. H. 8. 20. Anno 1. of his raigne, or to be made during his life, notwithſtanding his no-
35. H. 8. 14. nage, or not reſeruing of Tenure, Rents or Tenths. AB. Patents 22.

4 Collectors of Tenthes ſhall bee bound to ſaue the Biſhops harmeleſſe a- Collectors of Tenthes.
gainſt the King, for all manner of their accounts and paiments. S. 14. Eliz. 7 & Q. And they ſhall abide no longer in their Offices, then the Biſhop graun-tor ſhal doe in his See. AB. Collector 1. Which is the day wherin the Tenths of al ſpirituall perſons ſhal be paid to the King, and the penaltie of Recuſants. AB. Eccleſiaſticall 29.

5 The prices of all ſorts of Wine by ſmall meaſure. Who may keep veſ- Wines.
ſels of Wine to ſpend in their houſes, and who not. EXP. 1. Iac. 25. In what ci-ties and Townes Wine may bee ſold by retaile. Vintners ſhall not retaile Wine but by Licence. How many Tauerns may be appointed in euerie ci-tie, Borough, Towne. &c. AB. Wines 6. &c.

6 The Statute of 17. Ed. 4. 1. which maketh it felonie to carrie out of this Money.
Realm any Coine, Plate, Jewels of golde or ſiluer, (without the K. Licence) reuiued for 20. yeares. EXP.

43. Eliz. 14. 7 What ſhall be the Aſſiſe of Fuell of all ſorts. None ſhal buy Fuell, but Fuell.
34 H. 8. 3 which will burne, or retaile the ſame. AB. Fuell. 1. 6. A repeale of all former Statutes touching the Aſſiſe of Fuell.

8 The Statute of 22. Ed. 4. 5. prohibiting the fulling or thicking of Hats Fulling caps.
or Caps, reuiued for 5. yeares EXP. & EXP. 1. Iac. 25.

6 H. 8. 8. 9 Euerie piece of cloath called white pinned ſtraits ready dreſſed to put to Cloth.
5. H. 8. 2. ſale, ſhal contain in length at the leaſt xy. yards, in breadth one yard, in weight xj. l. And euerie piece of Pinned ſtraits ſhal cõtain in lẽgth xj. yards, in breadth 3. quarters of a yard, & in weight viij. l. at ỳ leaſt. Haire, flocks, & lambes woll may be put into any of ỳ ſaid clothes made in Deuõ & Cornwal. EXP. 27. El. 18

10 The

Gatſide. 10 The Towne of Gatſide, and all the inhabitants of the ſame, and a parcell of ground called the Salt Pedowes, adioyning thereunto, and the whole water and bridge belonging to the ſame Towne, ſhalbe diuided from the Biſhoprick of Durham, and from the liberties, and Countie Palantine of the ſame, and ſhall bee vnited to the Towne of Newcaſtle vpon Tine, and adiudged to bee within the Countie and Shire of the ſame Towns of Newcaſtle, and ſhall bee reputed as a part and member of the ſame. And the inhabitants of Gatſide ſhall bee vnder the gouernement of the Maior and Burgeſſes of Newcaſtle. The inhabitants of Gatſide ſhal continue their Common within the Biſhoprick of Durham, and ſhall haue Wood in Gatſide Parke, for the reparations of their houſes, and the bridge, as they haue had. EXP. 1. Ma. 3. Parl. 2.

Continuance of Statutes 11 Seuerall Statutes made in the raignes of King Henrie the eight, and King Edward the firſt, reuiued, and made to continue vntill the laſt day of the nert Parliament. EXP.

Subſidie. 12 A Subſidie and two Fifteenes and Tenthes graunted to the King by the Temporaltie, to be paid in two yeares. EXP. 1. M. 17.

Subſidie. 13 A confirmation of a Subſidie of ſix ſhillings in the pound, to bee paid in in three yeares, granted to the king by the Clergie. EXP.

Pardon. 14 The Kings generall and free Pardon confirmed by Parliament: exceptes &c. EXP.

Statutes

Statutes made at the firſt Seſsion of Parliament holden

at Weſtminſter, 5. die Octobris, Anno 1. Ma. & Anno Domini 1553.

1.H.4.10. 1.Ed.6.12. 1 NO act, déede, or offence, being by any Act of Parliament made Treaſon, petite Treaſon, or Miſpriſion of Treaſon, by words, writing, cyphering, déeds, or otherwiſe, ſhall be adiudged ſo to be, but only ſuch as be declared to be Treaſon, petite Treaſon, or Miſpriſion of Treaſon, by the Statute of 25. Ed. 3. 2. All offences made Felonie, or limitted to be within the caſe of Prę̃munire, by any Statute made ſithence the firſt yeare of the Raigne of K. Henry the eight, not being Felonie before, nor within the caſe of Prę̃munire, ſhall be repealed and void. A Repeal of Treaſons. Felonie. Prę̃munire.

Statutes made in the laſt Seſsion of Parliament holden

vpon Prorogation at Weſtminſter 24. die Octobris, Anno 1. Ma. & Anno Domini 1553.

¶ 1 Euery Decrée, Sentence, and Iudgement of Diuorce betwéene King Henry the eight, and Quéene Katherine his wife, and all Proces commenced, made, or promulged by Th. Cranmer, then Archbiſhop of Canterbury, or any other, whereby the ſaid Marriage was declared to be vnlawfull, ſhall be void. And the Statutes of 25. H. 8. 22. and 28. H. 8. 7. and all other Acts of Parliament, whereby the Quéene is declared to be illegitimate, or the ſaid marriage betwéene the ſaid King H. 8. and Qu. Katherine, againſt the word of God, or vnlawfull, ſhall be repealed: And the ſaid Marriage ſhall be adiudged to ſtand with Gods word, and taken to be good to all intents. King H. 8. & Katherine.

1.Eliz.1. 1.Eliz.2. 1.Iacob.25. 1.Eliz.2. 1.Iacob.25. 1.Iacob.25. 2 A Repeal of the Statute of 1. Ed. 6. made againſt ſuch as ſhall ſpeake vnreuerently of the body and bloud of Chriſt: And of the Statutes of 1. Ed. 6. 2. touching the election of Biſhops: and of the Statute of 2. Ed. 6. 1. concerning the vniformitie of Seruice, and Adminiſtration of the Sacraments: and of the Statute of 2. Ed. 6. 21. made to take away all Poſitiue Lawes, ordained againſt the Marriage of Prieſts: and of the Statute of 3. Ed. 6. 10. made for the aboliſhing of diuers Bookes & Images: and of the Statute of 3. Ed. 6. 12. made for the ordering of Eccleſiaſticall Miniſters: and of the Statute of 5. Ed. 6. 1. made for the vniformitie of Common Prayer, and Adminiſtration of the Sacraments: and of the Statute of 5. Ed. 6. 3. made for the kéeping of Holy dayes and Faſting dayes: and of the Statute of 5. Ed. 6. 12. touching the mariage of Prieſts, and legitimation of their Children. All ſuch diuine Seruice, and adminiſtration of Sacraments as were moſt commonly vſed in England in the laſt yeare of King Henry the eight, ſhall be vſed through the Realme after the 20. day of December, Añ Domini 1553. and no other kind of Seruice, nor adminiſtration of Sacraments. EP. 1. Iacob. 25. A Repeal of Statutes.

3 The penaltie for diſturbing of a Preacher in the time of his Sermon. AB. Preacher 1. The like penaltie for diſturbing of a Prieſt ſaying Maſſe, or ſuch other diuine Seruice, or Sacraments, as was commonly vſed the laſt yeare of King Henry the eight: Or for contemptuouſly defacing, or vnreuerently handling the moſt bleſſed, comfortable, & holy Sacrament of the bodie and bloud of Chriſt, being in any Church, Chappell, Pixe, Canapie, or other decent place: Or for breaking of any Altar, Croſſe, or Crucifixe in any Church, Chappell, or Churchyard. CB. Preacher. Maſſe. Sacrament. Croſſe.

4 All Statutes, Recognisances, Indentures, and other writings knowledged, or made, by or to any person, sithence the 6. day of July last past, and before the first of August following, vnder the name of the Raigne of any other, then of the Quæne, shall be as good in the Law, to all intents, as if the name of the Quæne with her Style had bin contained in the same writings &c. But this shall not make good any letters Patents, Commissions, Grants, Leases, or other writings made by the Lady Iane Dudley.

L. Iane Dudley.

5 Certaine Writs and Acts whereunto the Statute of Limitation made 32. H 8. 2. shall not extend. AB. Limitation 7.

Limitation.

Treason.

6 It shall be high Treason to forge the Quænes signe manuall, priuie Signet, or priuie Seale, or any Coyne current within this Realme, which is not the proper coyne of the Realme. AB. Treason 2. 27. H. 8. 2.

Fines.

7 Fines leuied before the Iustices of the Common Place, shall be of force, notwithstanding Proclamations be not duely made, by reason of the adiournement of any Terme. AB. Fines 11.

Shirife.

8 No Shirife shall be Iustice of Peace of any Countie where and when he is Shirife. AB. Shirifes 21.

Phisitians.

9 Whosoeuer shall be committed to prysone by the President of the Colledge of the Phisitians in London, or his Deputie, shall be receiued by the keeper of the same prison. Foure Phisitians, and the Warden of the Apothecaries shall search Apothecarie wares in London. Iustices of peace, Maiors, &c. shall assist the President of the said Colledge. AB. Phisitians 4. 8. 10.

Courts.

10 The Quæne may at any time during her life, by her Letters Patents vnder the great Seale, alter, change, vnite, transpose, or dissolue all, or any of the Courts of Augmentations, of the first Fruits and Tenthes, of Wards, of generall Surueyors, and of the Duchie of Lancaster, and reduce them into one, two, or more, or to any other Court of Record, or erect any other new Court, or Courts. If the Quæne shall annexe any of the said Courts vnto the Exchequer, then all things within the suruey of the said Court so annexed, shall be ordered in like manner to all intents, as the said Court of Exchequer is or ought to be, by the common Lawes and Statutes of this Realme. 7. Ed. 6. 2.

Hats and Caps.

11 A Confirmation of the Statute of 21. H. 8. 9. touching the prices of woollen Hats and Caps made beyond the Sea. Customing of the same Hats and Caps. No man shall buy aboue one dozen of Hats or Caps, made out of the Realme. EXP. 1. Iac. 25.

Riots.

12 The penaltie for twelue persons or aboue, being assembled together, to commit seuerall forcible and vnlawfull acts, or any of them, and being commanded by Proclamation by a Iustice of peace to depart, yet to continue together by the space of an houre &c. AB. Riots 16. &c. And a Repeal of the Statute of 3. Ed. 6. 5. touching such vnlawfull Assemblies.

Continuance of Statutes.

13 Seuerall Statutes made in the Raignes of K. H. 8. and K. Ed. 6. reuiued, and made to continue vntill the end of the next Parliament. EXP.

Goales.

14 The Statute of 23. H. 8. 2. ordained for the making of Gaoles in seuerall Counties, shall be continued vntill the end of 5. yeares next after this Parliament. EXP.

S. Elens in Yorke.

15 It shall be lawfull to the Parishioners of the late Parish of S. Elens in Stanegate, within the Citie of Yorke, and the Inhabitants that now are, or hereafter shall be dwelling in the same, to build againe the same Parish Church, and the Churchyard, and therein to vse diuine Seruice, Sacraments &c. And the Quæne, her heires, and successors, may present an able Clerke to the Vicarage of the same. HR. 1. Ed. 6. 9.

16 A Confirmation of the Attainder of high Treaſon, of Iohn Duke of Northumberland, Thomas Cranmer Archbiſhop of Canterburie, William Marques of Northampton, Iohn Earle of Warwicke, Sir Ambroſe Dudley Knight, Gilford Dudley & Iane his wife, Henry Dudley, Sir Andrew Dudley Knight, Sir Iohn Gates Knight, and Sir Thomas Palmer Knight. EXP. Attainder of Treaſon.

17 A Confirmation of a Releaſe, which the Qu. by her Letters Patents made to the Temporaltie, of a Subſidie giuen to King Edward, by the Stat. of 7. Ed. 6. 11. reſeruing to the Quæne the two Fiftænes graunted by the ſaid Statute. EXP. A Subſidie releaſed.

18 A Subſidie of Tonnage and Pondage graunted to the Quæne during her life, out of diuers Marchandizes. EXP. Subſidie.

Statutes made at the Parliament holden at Weſtminſter

2. die Aprilis, Anno 1. Ma. & Anno Dom. 1554.

¶ 1 The Regall & kingly power of this Realme, & all the dignities & Prerogatiues of the ſame, ſhal be aſwell in a Quæne, as in a King. AB. Crowne 1. Crowne.

2 The Articles of Marriage betwæn Philip Prince of Spaine, & the Quæn rehearſed, and confirmed. The Quæne ſhall & may, only, and as a ſole Quæne vſe and enioy the Crowne and Soueraignetie ouer her Dominions and Subiects, with all the Prerogatiues, Iuriſdictions, Honors, Lands, &c. belonging to the ſame, in ſuch onely eſtate, & in ſuch large maner, in all degræs after the ſolemnization of the ſaid Marriage, as ſhe now hath, and enioyeth the ſame, without any right, claime, or demaund to be giuen, come, or growne vnto the ſaid Prince, as Tenant by the Courteſie of this Realme, or by any other meanes. All Gifts, Graunts, Letters Patents, Leaſes, and other writings, which during the ſaid Marriage, ſhall paſſe and be made of Benefices, Offices, Lands, Reuenues, and Fruits, ſhall be intituled & made in the names of the ſaid Prince, and the Quæne, and ſhall be ſigned with the ſigne manuall of the Quæne. And thoſe Graunts, Letters Patents, and writings which ſhall not be ſigned with her ſigne manuall, ſhall be void. S. 1. & 2. P. & M. 1. this laſt Branch repealed. P. Philip. Qu. Mary.

3 A Repeal of one Stat. (not printed) made 7. Ed. 6. whereby the Biſhopricke of Durham was diſſolued, and all the lands and poſſeſſions thereof were giuen to the King: and of one other Stat. made 7. Ed. 6. 10. whereby the towne of Gateſide &c. was ſeuered from the ſaid Biſhopricke of Durham, and annexed to the Towne of Newcaſtle. And Cuthbert Tunſtall reſtored to the ſaid Biſhopricke, and to all the poſſeſſions and franchiſes thereof, (ſauing to a Capitall Manſion houſe in Thames ſtræte in London, and fiue tenements thereunto belonging) and to the ſaid Towne of Gateſide &c. HR. Biſhopricke of Durham.

4 A Repeal of the Statute of 32. H. 8. 39. made touching the erection of the Office and Authoritie of the great Maſter of the Kings houſe, and the reſtabling of the Name, Office, and Authoritie of the Lord Steward of the Quænes houſe. HR. L. Steward.

5 The Cauſey paued with ſtone in the Counties of Dorſet, & Somerſet, betwæne Shafteſburie & Shirborne, ſhall from time to time be made & amended by the owners & fermors of the lands, lying nigh to the ſaid Cauſey on either ſide of the ſame, and by the Inhabitants of Shafteſburie & Shirborne, and by the owners & fermors of lands, and by the Inhabitants within the forreſt of Gyllingham, & liberties of Gyllingham, & Alceter, and the Hundreds of Redlane & Shirborne in the Countie of Dorſet, and the Hundred of Horethorne in the Countie of Somerſet. And the Iuſt. of Peace of the Counties Shirborne Cauſey.

ties of Dorſet and Somerſet ſhall aſſeſſe the ſaid owners, fermors, & Inhabitants towards the ſaid repayre. And if the ſaid Juſtices ſhal refuſe to put this Act in execution, the Lord Chancelor, or L. Keper &c. ſhall vpon requeſt make a Commiſſion to certaine diſcreet perſons to put this Act in execution. EXP.

Briſtow and Glouceſter way.

6 The Inhabitants of the Cities of Glouceſter and Briſtow, within their ſeuerall Liberties, and of the Hundreds of Barton nert Briſtow, Gromball, Athe, Barkeley, Whiteſtone, Thorneburie, and Hendburie, in the Countie of Glouceſter, for their ſeuerall limits and Hundreds, ſhall be charged with the reparation of the way betweene Briſtow and Glouceſter. EXP.

Clothiers.

7 Inhabitants in Cities, Boroughes, corporate Townes, or Market Townes, where making of Cloth was vſed at the time of the Statute of 5. & 6. Ed. 6. may make any manner of Broad Clothes, and put them to making, fulling, dying, and ſharing without impediment, ſo that the ſame Cloth be of lawfull length, breadth, and weight, notwithſtanding the ſaid Stat. of 5. & 6. Ed. 6. 8. AL. 4. & 5. P. & M. 5.

Leather.

8 It ſhall be lawfull for the Currier, Shomaker, Girdler, Sadler, Budget-maker, and all other Artificers occupying the Myſterie of Leather buying, to buy all kind of tanned Leather in Fayres and Markets, it being lawfully tanned and dreſſed, ſo that they buy it not to ſell againe to any, to be conueied

Currier.

ouer the Sea. And Currier ſhall currie any Hide, for a Shomaker to make Shoes or Bootes of, from the xxv. day of July, vntill the xxv. of March, but ſuch as ſhall be twice ſufficiently dipped in the Panne. EXP. 1. Eliz. 8. The Statute of 5. & 6. Ed. 6. 15. touching the buying of Tanned Leather, & ſelling the ſame againe, repealed.

Cathedrall Churches.

9 The Quéene during her life ſhall haue authoritie, by writing to be ſealed with the great Seale of England, to make and preſcribe to all thoſe Churches Cathedrall and Collegiate, that were erected and eſtabliſhed by K. H. 8. and to the Deanes, Prebendaries, and Miniſters of the ſame, & to their Succeſſors, ſuch Statutes and orders, for the good gouernance of euery of them, and of the lands and poſſeſſions of euery of the ſame Churches, as ſhall ſéeme good to her: and to alter, change, augment, or diminiſh the ſame, as occaſion ſhall ſerue: And to ordeine and eſtabliſh Statutes, Ordinances, and Foun-

Schooles.

dations for the gouernment of ſuch Grammer Schooles, as were erected by King H. 8. or by K. Ed. 6. and of the Miniſters & Schollers of the ſame: and to alter & tranſpoſe other Statutes & Ordinances there heretofore made. EXP.

Onger. Grenſted.

10 The Repeal of a Statute (not printed) made Anno 2. Ed. 6. touching the conſolidation and vnion of the Pariſh Churches of Onger and Grenſtede in the Countie of Eſſex. And they ſhall be ſeuerall Pariſhes, as they were before. And Iames Morys and his heires ſhall haue the Preſentation of the ſaid Parſonage of Onger. HR.

Sewers. Glamorgan.

11 The Commiſſioners of Sewers in the Countie of Glamorgan, ſhall take order for the ſauing of the land from deſtruction by ſandes ryſing out of the Sea. AR. Sewers 6.

Continuance of Statutes.

12 Certaine Stat. made in the raignes of King H. 8. King Ed. 6. & Quéene Marie reuiued, and continued vntill the laſt day of the next Parliament. EXP.

Statutes made at the Parliament begun at Weſtminſter 11. *die Nouembris, Anno* 1. & 2. *P. & Ma. & Anno Domini* 1554.

¶ 1 The Repeal of a branch of a Stat. made 1. M. 2. touching the ſigning of Letters Patents, Graunts, Leaſes, or other Writings, of any Lands, Beneſi-

Benefices, Offices, or other hereditaments with the Quænes signe manuall.

4. & 5. P. & M. 1. A Confirmation of all Letters Patents concerning any gift, graunt, lease, or other writing, which sithence the Marriage betweene the King & the Quæne haue passed of any Benefices, Offices, Lands, Liberties, or other Hereditaments in the names of the King and Quæne, the warrants whereof were signed with the Quænes signe manuall, which shall be as good, as if she had been sole and vnmaried. Letters Patents.

2 Whosoeuer shall weare silke, in or vpon his Hat, Bonet, Girdle, Scabbard, Hose, Shoes, or Spur Leather, shall be three Moneths imprisoned, and forfeit v. li. Except Mayors, Aldermen, &c. If any person knowing his seruant to offend, do not put him forth of his seruice within viij. dayes, & do retaine him againe, he shall forfeit 100. li. HP. 1. Iac. 25. Apparell.

3 A Confirmation of the Stat. of 3. Ed. 1. 33. and 2. R. 2. 5. touching telling of Newes. AB. Newes 1. Iustices of peace in euery Shire, Citie &c. shall haue authoritie to heare & determine the said offences, and to put the said two statutes in execution. AB. Iust. of Peace 21. If any person shall be conuicted or attained, for speaking maliciously of his owne imagination any false, seditious, & slaunderous Newes, Sayings, or Tales of the King or Quæne, then he shall for his first offence be set on the Pillorie in some Market place, nære where the words were spoken, and haue both his Eares cut off, vnlesse he pay to the Quæne 100. li. within one Moneth after iudgement giuen, & also shall be three Moneths imprisoned. And if he shall speake any such slaunderous & seditious Newes or Tales of the speaking or report of any other, then he shal be set on the Pillorie, and haue one of his Eares cut off, vnlesse he pay 100. Markes to the Quænes vse within one Moneth after, and shall be one Moneth imprisoned. And if he shall doe it by Booke, Rime, Ballade, Letter, or Writing, he shall haue his right hand striken off. And if any person being once conuict of any of the offences afore said, do afterward offend, he shall be imprisoned during his life, and forfeit all his goods & cattels. EXP. Newes. 23. Eliz. 2. 1. Eliz. 6.

4 The seuerall penalties for bringing Egyptians into this Realme, or for suing for licence for them to continue in England, or for them to remaine here. AB. Ægyptians 1. &c. Egyptians. 22. H. 8. 10. 5. Eliz. 20.

5 The penalties for transporting of Corne, Butter, Cheese, Herring, or Wood out of this Realme: Or for the carrying of the same into any Ship to be transported: Or for the carrying more then is licenced: Or for the shipping of Corne, Victuall, &c. licenced at seuerall places. AP. Corne 1. &c. Transporting victuall.

6 A Reuiuer of the Stat. of 5. R. 2. 5. concerning arresting of Hereticall Preachers, and of the Stat. of 2. H. 4. 15. touching repressing of Heresies, and punishment of Heretikes, and of the Stat. of 2. H. 5. 7. concerning the enormitie of Heresie & Lollardie, and the suppression thereof. HP. 1. Eliz. 1. Heretikes. Lollards.

7 No person dwelling in the Countrey, shall sell wares within any Citie or Towne corporate by retaile, but in open Faires. AB. Marchants 11. Marchants.

8 The whole body of this Realme reduced and receiued into the vnitie of Christs Catholike Church, & the obedience of the Sea Apostolike of Rome, & assoiled & deliuered from excommunication, interdictions, &c. which hath hanged ouer their heads for their defaults, since their Schisme. A Repeal of all Statutes, Articles, & Prouisions made against the Sea Apostolike of Rome, sithence the 20. yeare of K. Henry the 8. HP. 1. Eliz. 1. A Confirmation to the Quæn & all others, of all Manors, lands, tythes, & other hereditaments of the late Monasteries, Colledges, Chaunteries, Bishoprickes, & other Ecclesiasticall houses, which came to the hands of king Henry the eight, or king Edward the first, by dissolution, surrender, forfeiture, or otherwise. AB. Monasteries 32. Sea of Rome Monasteries. 1. Eliz. 1.

Traiterous words. 9 If any ſhall pray, or deſire, that God will ſhorten the Quenes dayes, or take her out of the way, or any ſuch malicious prayer, amounting to the ſame effect, hee, his Procurators, and Abettors, ſhall be adiudged Traytors. EXP. 23.Eliz.2.

Treaſon. 10 It ſhall be high Treaſon to compaſſe the death of the King, or the Quene, or to depriue either of them of the Style, or Kingly honour of this Realme: Or to affirme that any other then they, and the heires of her bodie, ought to be King or Quene. An order for the gouernment of the Quenes Iſſue. EXP. Triall of Treaſons ſhalbe according to the courſe of the Common Lawes. AB. Treaſon 13. 13.Eliz.1. 33.H.8 23. 32.H.8.4.

Counterfit Money. 11 It ſhall be high Treaſon to bring into this Realme any counterfeit Money, like to the Coine of other Realmes, permitted to be currant within this Realme. AB. Treaſon 3.

Diſtreſſe. 12 No Diſtreſſe ſhall be driuen forth of the Hundred where it is taken, nor impounded in ſeuerall places. The penaltie for taking more for pounage then is due. AB. Diſtreſſe 1.2. 52.H.3.4. 3.Ed.1.16.

Bailement. 13 The manner of bailement by Iuſt. of Peace of any perſons arreſted of Felony, or ſuſpition of Felony, of the taking & certifying their examinations, and of binding others to giue euidence againſt them. AB. Iuſt. of peace 107. What thing is requiſite to be obtained, to remoue any Priſoner, or Recogniſance by Habeas corpus, or Certiorari. AB. Remouing &c.1. 3.H.7.3.

Norwich. 14 Ruſſell Sattens, Sattens Reuerſes, and Fuſtians of Naples, ſhall be made in Norwich, & ſhall be called Norwich Sattens, and Norwich Fuſtians. And there ſhall be a bodie Corporate, and foure Wardens yearely choſen and ſworne, to view, ſearch, and ſee all the Ruſſels &c. made in the ſaid Citie, during the ſaid yeare. HR.

Ruſſels.

L. Marchers 15 Lords Marchers in Wales ſhall haue the moitie of the forfeitures of their Tenants. AB. Wales 122. 27.H.8.26.

Continuance of Statutes. 16 Certaine Statutes made in the raignes of of King Henry the eight, King Edward the firſt, and Quene Marie reuiued, and continued vntill the laſt day of the nert Parliament. EXP.

Parſonage. Leaſe. 17 A Repeal of ſo much of the Statute of 28. H. 8. 11. as doth concerne the ratifying of a Leaſe made by a Spirituall perſon of his Benefice, to a Lay perſon, for ſome yeares after the leſſors reſignation, or death.

Statutes made at the Parliament holden at Weſtminſter

21. die Octobris, Anno 2. & 3. P. & Ma. & Anno Domini 1555.

Northumb. Cumberl. Weſtmerland. Durham. ¶ 1 Commiſſions ſhall be awarded to certaine perſons, to inquire what, and how many Caſtles, Fortreſſes, Villages, Houſes, and Habitations haue been decayed within the Counties of Northumberland, Cumberland, Weſtmerland, and the Biſhoprick of Durham, & by whom & what meanes: and how many are meet to be redified, and how many are fit to be made of new, and in what places: and what parts of the ſaid Counties and Biſhoprick be apt to be incloſed, and conuerted to tillage, or other neceſſarie manurance: and what perſons be Owners, Lords, Fermors, and Poſſeſſors of the ſame, or claime any intereſt therein, and what Eſtates they haue: And thereupon to take ſuch order for the redifying of ſuch Caſtles, Houſes, &c. and for the new erecting of others, and for the incloſing ſuch parts, as ſhall be thought conuenient. EXP. et 4. Iac. 1. EP. 23.Eliz.4.

5.E.6.5. 5.Eliz.2. 39.El.1. 2 A confirmation of the Statute of 4 H.7.19. touching maintaining of houses of husbandrie, and land conuenient for the vpholding of Tillage. Commission shalbe awarded to certaine persons, to inquire, heare, and determine all defaults and offences committed since Añ 20.H.8. or hereafter to be committed, contrarie to the tenor of the said Statute of 4.H.7. and the Statute of 7.H.8.1. Which Commissioners shal and may binde by Recognisance in good summes of money to the King and Quæenes vse, the persons offending, in any decaies or defaults, for the reædifying of decaied houses, for the conuerting of pasture into Tillage againe, and for the destroying and diminishing of conies in a ground in or neere any coni e field, not being lawfull warreine. HP.5.El.2. Husbandry.

3 For threescore share shæpe kept in any seueral ground, and for ten beasts there fed, shall be kept one milch Cow. And for fiue score share shæpe shall be reared one Calfe yearely. AB. Cattell. 3.4. Cattell.

13.Eliz.25. 4 The paiment of the first fruits of Spirituall linings to the Quæne shall cease. The yearely Tenthes heretofore paied to the Quæne by the Statute of 26.H.8.3. shalbe imploied to other godly vses. Parsonages impropriate, Tithes, Glebelandes, and other Ecclesiasticall linings, renounced by the Quæne. But this Act shall not extend to Tenthes reserued vpon Letters Patents. HP. 1.El.4. First fruits. Tenthes.

5 The Stat. of 22.H.8.12. & 3.& 4.Ed.6.16. Concerning Beggers, Vagabonds, and idle Persons, shalbe put in execution. Reliefe for the aged and impotent poore in euery Parish, shalbe gathered weekely, of the charitable deuotion of the inhabitants. EXP. Poore. Vagabonds.

6 Purueiors Commissions for the taking of vitailes, shall endure but fiue monethes. In their Commissions, the Counties where they shall take, and the portion, and number of the vitaile to be taken, shalbe expressed. Purueiors dockets shalbe deliuered to the high Constables, and to the Justices of Peace. AB. Purueiors 25.&c. Purueiors.

31.El.12. 7 In all faires and markets a place shall be appointed for the sale of horses. When, where, and of whom toll shall be taken for horses. How they shall be ridden and shewed. A note shalbe take of horses sold in a faire. AB. Faires 4.5.6. Horses.

5.El.13. 18.El.9. 29.Eliz.15. 8 Highwayes shall be yearely amended, ploughholders and cotagers shall be charged towards the repaire of them. Surueiors of that worke, their dutie and accompt, AB. Highwayes 1.&c. Highwayes.

9 Euerie licence or placard made to any person, for the hauing or keeping of any bowling allies, dicing houses, or other vnlawful games shalbe void. EXP. Placardes.

10 Justices of peace shall examine those persons arrested of felonie, which they doe commit to prison, & shall bind their accusers to giue euidence against them. AB. Iustice of peace 108. Prisoners.

5.Ed.6.8. 11 A clothier shall haue but one woollen lome, a weauer not aboue two, a fuller or tucker shall haue none. No man shall be a weauer, but which hath bene an apprentice. AB. Draperie 69.70.72.73. Woollen lomes.

12 Clothes made in the Countie of Somerset to be but to sale, shall be first viewed, searched, & sealed, in Bridgewater, Taũtõ, or Chard. AB. Drapery 41. Clothes.

5.Ed.6.7. 13 The inhabitants of Halifare may buy woll, and sell the same againe. AB. Wooles 5. Halifax.

14 It shall be lawfull to the Deane and Chapter of Hereford, within fiue yeares next to reædifie foure sufficient milles, viz. two corne milles, and two fulling milles, vpon the riuer of Wie, in or neere vnto the place where 4. olde milles did stand. HR. Hereford. Mills.

13.El.21. 15 Purueiors shall not take corne or victuals in Cambridge, or Oxford, or Purueiors.

or within fiue miles thereof. AB. Purueiors 32.

Watermen. 16 There shall be eight ouerseers of watermen, rowing betweene Graues- 1.Iacob.16.
end & Windsor, & what their office and dutie shalbe. AB. Boatmen 1. &c.

Bennet Smith. 17 The benefit of clergie shall be taken from Benet Smith, for being ac- 4.P.&M.4.
cessarie to the murder of Giles Rufford, before the murder committed, and for procuring of the same. HR.

Commission. 18 A Cõmission of the peace, or Gaole deliuery, awarded into the County, shal not be a Supersedeas to a former like cõmission granted to a citie or towne corporate of the same shire. AB. I. of peace 110.

Powdike. 19 A reuiuer of the Statute of 22. H. 8. 11. which maketh it felonie to cut downe new Powdike in Marshland in Norfolke, notwithstanding the Statute of 1. Ed. 6. 12.

Dutchy land. 20 All Honours, Manors, lands, tenements, & hereditaments, which at any time since 28. die Ianuarij, Añ 1. Ed. 6. were parcell of the possessions of the Dutchie of Lancaster, or which were vnited to the same by authoritie of parliament, Letters Patents, or otherwise, and which at any time since haue bene graunted, alened, sold, exchaunged, or seuered from the said Dutchie, by the said king Edward the first, or by the King or Quene that now be, and which sithence such graunts, or seuerance, been returned againe to the hands of the said king Edward the first, or by the king and Quene in possession, Reuersion, Remainder, or &c. by attainder, eschete, purchase, or otherwise, and which now remaine in the hands of the King and Quene of any estate of inheritance, shall from the time the same came and reuerted, be vnited to the dutchy of Lancaster, & shall be adiudged for euer as parcell of the same. And all grants 37.H.8.61.
and leases of those lands, shall be made vnder the dutchie seale. It shalbe lawfull to the King and Quene, and to her heires and successors, by their letters patents, vnder the great seale, to annexe, to the said dutchie of Lancaster, any Honours, Manors, Lands, &c. not exceeding the yearely value of 2000. l. So that they be no parcell of the auncient inheritance of the Crowne, or of the principalitie of Wales, or of the Duchie of Cornewall, or of the Earledome of Chester, or lying within the Counties of Chester or Flint.

Continuance of Statutes. 21 Seuerall Statutes made in the raignes of king H. 8. K E. 6. and Q. M. reuiued, and continued vntill the last day of the next parliament. EXP.

Subsidie Clergie. 22 The confirmation of a Subsidie of vj. s. in the pound, graunted by the clergie to the K. and Q. to be paied in three yeares. EXP.

Subsidie Temporaltie. 23 A confirmation of a Subsidie graunted to the K. and Q. by the temporaltie. EXP.

Statutes made at the Parliament holden at Westminster 20. die Ianuarij, An. 4. & 5. P. & M. & An. Domini 1557.

Patents. ¶ 1 A Confirmation of all letters patents, and other writings, made by the king and quene, or by the quene sithence 7. Iulij Añ 1. M. or to be made 7. yeares after: And also of all assurances made by any person of any landes, tenements, &c. to the king and quene &c. AB. Patents 23.

Armor. 2 So much of euery Stat. heretofore made as do concerne only ỹ finding or képing of horse, or armour, & euery penaltie & forfeiture touching only ỹ same shall be repealed. What number, rate, and proportion of horses armor, & weapons, each person is bound, and chargeable to kéepe, in any respect, or for any, cause. EXP. 1. Iac. 25.

Souldier. 3 The penaltie for a souldier to depart from his Captaine without licence: 2.Ed.6.2.

or

or for not appearing at musters, or for not bringing his best furniture. And of a Captaine for taking of money to release any person, being at the musters, or in seruice: or to demaund more wages then is due. AB. Captaines 3.12.14.15. Captaine.

2.& 3.P.& M. 17. 4 No person shall haue the benefit of clergie which commaundeth, hireth, or counselleth another to commit any petit treason, robberie, murder, &c. AB. Clergie 6. Clergie.

5.E.6.6. 5 The length, breadth, and weight, of seuerall sortes of wollen clothes. The penaltie for default thereof. The searching, sealing, and marking, of wollen clothes. In what places onely such clothes as are to be sold may bee made. AB. Drapery 5.6.10.11.12.13.14.19.24.27.33.34.36.37.38.39.42.43.53.56.62.64.75.76.77.91. Clothes.

6 Euerie person borne vnder the dominion of the French king, not being denizen (other then such as the king and quéne will licence to remaine) shall depart this Realme, and not returne during the warres betweene the French king, and the king and quéne. The king and quéne during the quénes life may vpon any misdemeanor proued, repeale by proclamation any letters patents made to any French man to be free denizen, sithence Añ 32.H.8. And then the quéne shal haue the said denizens lands during his life, but his heire shall enioy it after his death. EXP. Frenchmen.

7 A Tales de Circumstantibus shalbe granted vpon request in a suit commenced vpon any penall Statute. AB. Iurors 24. Tales.

8 The penaltie for taking away a maid vnder xvj. yeres of age, without her gouernors consent, or for deflowering, or contracting matrimonie with her And her forfeiture for consenting. AB. Women 6.&c. A maid abused.

9 Seuerall Statutes made in the raignes of K. H.8. K. E.6. and Q. M. reuiued, & continued vntill the last day of the nert parliament. EXP. Stat. contin.

10 A confirmation of a Subsidie of vij. s. in the pound, granted by the clergie, to the king and quéne, to be paied in foure yeares. EXP. Subsidie.

11 A confirmation of a Subsidie, and one fifténe, granted to the king and quéne by the temporaltie. EXP. Subsidie.

Statutes

Statutes made at the Parliament begun at Weſtminſter 23. die Ianuarij, Anno 1. Reg. Eliz. & Anno Domini 1558.

Repeale of Statutes.

1 A Repeale of the Statute of 1. & 2. P. & M. 8. by which all Statutes, Articles, and Prouiſions, made againſt the Sea Apoſtolike of Rome were made voide: And of the Statute of 1. & 2. P. & M. 6. that reuiued the Statute of 5. R. 2. 5. 2. H. 4. 15. & 2. H. 5. 7. prouided for the puniſhment and repreſſing of hereſies, heretikes, and lollards, and of the ſaide three ſtatutes. A reuiuer of the Statut of 23. H. 8. 9. touching Citations: And of the Satute of 24. H. 8. 12. concerning appeales: And of the Stat. of 25. H. 8. 20. reſtraining the paiment of the firſt fruits of Biſhops, to the ſea of Rome: And of the Statute of 25. H. 8. 19. touching the clergies ſubmiſſiō to the king: And of the Statute of 25. H. 8. 20. concerning the election and conſecrating of Biſhops: And of the Satute of 25. H. 8. 21. touching eronerating the kinges ſubects from impoſitions paied to the ſea of Rome, and for hauing of diſpenſations within this Realme: And of the Stat. of 26. H. 8. 14. touching the nomination and conſecration of Suffragans: And of the Stat. 28. H. 8. 16. ordained for the releaſe of thoſe that haue obtained licence from Rome: And of ſo much of the Stat. of 32. H. 8. 38. as was not repealed by the Stat. of 2. E. 6. 23. And of the Stat. of 37. H. 8. 17. touching doctors of the Ciuill law: And of the Stat. of 1. E. 6. 1. prouided againſt thoſe which ſpeake vnreuerently of the Sacrament of Chriſts body. All forreine power ſhall be aboliſhed. The penaltie for maintaining it. Eccleſiaſticall iuriſdictions annexed to the Crowne. Commiſſioners ſhall be aſſigned to execute Eccleſiaſtical authoritie. What may be adiudged hereſie, & what not. The othe for the renouncing forreine authoritie. Who ſhall be bound to take it. And the penaltie for refuſing it. AB. Crowne &c. 2. &c.

Reuiuer of Statutes.

Forreine power.

Eccleſiaſticall Commiſſion.

The booke of cōmon prayer.

2 The booke of Common prayer, and adminiſtration of Sacraments, ſet forth Añ 5. & 6. E. 6. 1. with ſome alterations, ſhall ſtand in force. And all Miniſters ſhal vſe the ſame, and none other. The penaltie for deprauing the ſame booke, and for vſing, or cauſing others to vſe any other forme of prayer, and for not comming to the Church. AB. Sacraments 2. &c.

Q. Elizabeth.

3 Quæne Elizabeth is, & in very dæd, & of moſt mære right ought to be, by the lawes of God, & the lawes & ſtatutes of this Realme, our moſt rightful and lawfull liege Ladie, and is lineally, rightfully, and lawfully diſcended of the bloud royall of this realme, according to the limitation and ſucceſſion of the Crowne of this Realme, mentioned in the Stat. of 35. H. 8. 1. EP. 25. H. 8. 22. 28. H. 8. 7.

First fruits Tenthes.

4 A reuiuer of the ſtatute of 26. H. 8. 3. whereby the firſt fruits and tenths of ſpirituall liuings were giuen to the King. Somuch of all and euerie of the Statutes of 26. H. 8. 17. 27. H. 8. 8. 28. H. 8. 11. 32. H. 8. 22. 32. H. 8. 45. 32. H. 8. 47. 34. H. 8. 2. 34. H. 8. 17. 37. H. 8. 21. 2. Ed. 6. 20. 7. Ed. 6. 4. Or of any other ſtatute touching the order, leuying, true anſwering, or qualification of the ſaide firſt fruits and tenthes, and of the rectories, parſonages, and benefices impropriat, and of the rents and profits thereof, and the charge, diſcharge, and alteration of them, or any thing tending thereunto, which were in force and vnrepealed, at and before 8. die Auguſti, Anno 2. & 3. P. & M. ſhall bee, and continue in force, and be obſerued & put in execution, according to the purports of the ſame. And the Quæne, her heirs and ſucceſſors, ſhall haue for euer the aduowſons, giftes, and patronages of all vicarages incident or belonging to the ſaide parſonages impropriate, in the ſame ſort and degree 2. & 3. P. & M. 4.

Patronages of vicarages

to

to all intents, as the ſame were in the poſſeſſion of the late Queene Marie, before the ſaid 8. day of Auguſt.

1. & 2. P. & M. 10. 13 El. 1. 27. El. 1. The Q. title.

5 If any perſon ſhall compaſſe or imagine, to depriue the Queene, or the heires of her bodie to be begotten, being king or queene of this Realme, from the ſtile, and kingly name of the Crowne of this Realme: Or to deſtroy the Queene, or any the heires of her bodie, being king or queene: Or to leuie warre againſt the Queene, or any the heires of her bodie within her Dominions: Or to depoſe the Queene, or any of the heires of her bodie &c. from the imperiall Crowne of this Realme: and the ſame imaginations ſhall vtter by open wordes &c. Or ſhall publiſh, or directly ſay, that the Queene during her life, is not, or ought not to be Queene: or that after her death, the heires of her bodie ought not to be King or Queene: Or that any other perſon ought to be King or Queene, ſo long as any of the heires of her bodie ſhall be in life: Then ſuch offendor ſhall forfeite to the Queene all his goods and cattels, and the profits of his landes during his life. And if any perſon or perſons ſhall by writing, printing, ouert deede or Act, commit any of the offences aforeſaid, it ſhalbe adiudged high treaſon. Exp. Treaſons.

23. Eliz. 2. Newes of the Queene.

6 The penaltie mentioned in the Statute of 1. & 2. P. & M. 3. for ſpeaking falſe and ſlaunderous newes of the King or Queene, or for comitting any of the offences expreſſed in the ſaid Act, ſhall be expounded to extend to the Queene that now is, & to the heirs of her body. Exp.

Scotland horſes.

7 A reuiuer of the Stat. of 23. H 8. 16. making it felonie to ſell, exchange, or deliuer within Scotland, or to the vſe of a Scottiſh man, any horſe &c. Exp. 4. Iac. 1.

Leather. Currier. Shoomaker.

8 A reuiuer of the Statute of 5. & 6 Ed. 6. 15. limiting what perſons (and for what purpoſes) may buy and ingroſſe tanned leather, and ſell the ſame againe, and who not. And a repeale of the ſtatute of 1. M. 8. touching Curriers, Shoomakers, &c. The Currier ſhall deliuer to the Shoomaker the leather curried, which he receiued of him, within fiue dayes in Summer, and ten dayes in Winter, if he may conueniently doe it. No Shoomaker ſhall make any ſhoes, or bootes, of any neats leather mingled, but onely of it ſelfe. Exp. 5. Eliz. 8.

Leather.

9 No perſon hauing ten pounds land, or rent, ſhall vſe, or haue profit by the myſterie of Tanning of Leather, but an Apprentice, or a couenant ſeruant brought vp in that trade foure yeares: Neyther ſhall any vſe that trade but in a Citie, Borough, Towne Corporate, or Market Towne, where ſellers ſhall bee vſually appointed, vnleſſe he hath beene an apprentice, or a couenant ſeruant foure yeares, or the ſonne and heire, or wife of a Tanner. Rawe hides, calue ſkinnes, tanned leather red and vnwrought, ſhall not be bought or ſold, but in open Faires or Market. Two peeces called Woombes, ſhall bee cut off euerie hide to bee conuerted to ſole leather, commonly called Backes. Both the Backes and Woombes ſhall be brought to Faires and Markets to be ſold. Searchers and ſealers of leather, ſhall regiſter all bargaines for leather made in Faires or Markets. The ſtat. of 2. & 3. Ed. 6. 11. reuiued. Exp. 5. Eliz. 8.

14. Eliz. 4. Tranſport. Leather. Tallow.

10 It ſhall be felonie to conuey, or procure to be conueied, into any ſhip or other veſſell, any leather tanned or vntanned, or any ſalt, or vntanned hides, or any backes, or ſole leather or any tallow, to the intent to tranſport the ſame ouer the Sea to bee ſolde, by way of Marchandiſe. Exp. 18. Elizabeth. 8.

Marchandiſe.

11 At what time of the day, and at what places marchandiſe ſhal be laden, or vnladen. The maiſter of the ſhip ſhall giue notice to the Cuſtomer of his departing

departing. And the Cuſtomer ſhalbe aduertiſed of all marchãdiſes brought in. AB. Marchants 5.6.7.8. No man ſhal enter goods into the Cuſtomers bookes in another mans name. The cuſtome of ſweet wines. AB. Cuſtomes 5.18. 1.H.8.5.

Linnen. 12 The penaltie for ſtretching or impairing of linnen cloth. AB. Linnen 2.

Ships. 13 A repeal of the Stat. of 5.R.2.3.& 4.H.7.10. prohibiting the bringing in, or carrying marchandiſes forth of this Realme, but in Engliſh ſhips. Euerie perſon being owner of any goods, which in the time of peace ſhall ſhip or diſcharge by way of marchandiſe any wares, or marchandiſes (except Maſtes, Raffe, Pitch, Tarre, or Ozne) out of, or into any ſhip, whereof the quæne or ſome of her ſubiects be not poſſeſſors, proprietaries, and maſters, and the marriners for the moſt part ſubiects to the quæne, ſhall pay ſuch cuſtome, and ſubſidie for the ſame marchandiſe, as aliens borne out of the quænes obedience. There ſhall be no croſſing of the ſea with any boy, or plate, being an Engliſh ſubiects. S.5.Eliz.5.& 13.Eliz.15. & Q.

Draperie. 14 Which of the inhabitants of Bocking, Weſtbardfold, Cokſhall, and Dedham, in the Countie of Eſſex may vſe the making, weauing, or rowing of cloth or kerſie, as they might haue done before the Statute of 4.& 5.P.& M.5. AB. Draperie 79. 27.Eliz.23.

Yron. 15 What timber trées growing, in which places, ſhall not be conuerted to coales, or other fuell for the making of yron. AB. Yron 1.2. 23.El.5. 27.El.19.

Vnlawfull aſſemblies. 16 The Statute of 1.M.12. made againſt vnlawfull aſſemblies, ſhall be in force during the quænes life, and to the end of the next parliament then next following, and ſhall extend to the quæne, as it did to quæne Marie. AB. Riots &c.16.&c.

Fiſh. 17 The penaltie for taking of the ſpawne or frie of any fiſh, or for taking of Salmons or Trouts not ſeaſonable. The length of fiſh which may be taken. Of what maſhe euerie net muſt be, AB. Fiſh 3.4.5.6.

Statutes. 18 Seuerall Statutes made in the raignes of king H.8.E.6. and M. M. reuiued, & made to endure vnto the end of the firſt ſeſſion of the next parliment. EX.

Tonnage. 19 A Subſidie of Tonnage and Pondage, graunted to the Q. during her life, patable out of diuers marchandiſes. EX.

Subſidie. 20 The confirmation of a Subſidie and two fiftænes graunted to the Q. by the Temporaltie. EX.

Statutes made at the Parliament holden at Weſtminſter

12.die Ianuarij, Anno 5.Reg.Eliz.& Anno Dom. 1562.

Rome. ¶ 1 The penaltie for maintaining the authoritie of the Biſhop, or See of Rome. AB. Rome 1. Certaine perſons bound to take the oathe ordeined 1. Eliz.1. for the abolifhing of forreine powers. The ſeuerall penaltie for the firſt and ſecond refuſal therof. Who haue authoritie to tender the ſame othe the firſt or ſecond time, and to what perſons. The expoſition of the othe. AB. Crowne &c.5.&c. 28.H.8.10. 13.Eliz.2.

Huſbandry. 2 The Statute of 4.H.7.19. 7.H.8.1. 27.H.8. 22.& 27.H.8. ordained for the keeping in repaire of townes, & houſes of huſbandrie, & maintaining of tillage, ſhal be put in execution. The Stat. of 5.& 6 Ed.6.5.& 2.& 3.P.& M. 2. prouided for the redifying of houſes of huſbandrie, and the increaſe of tillage, ſhall be repealed. Such landes, or ſo much in quantitie, as in any towne, village, hamlet, lordſhip, place knowne, or pariſh, hath bene put

in

in tillage and eyzed in any one yeare, and ſo kept foure yeare, ſithence the feaſt of Saint Geozge the Martir, Anno 20. H. 8. ſhall be eyzed and kept in tillage accozding to the nature of the ſoile, and cuſtome of the Countrie, by the occupier thereof, vpon paine that euery offendoz ſhall forfeit x. ſ. an acre yearely, to the next in Remainder oz Reuerſion foz the terme of life, liues, oz in taile: foz the which he may diſtraine, oz haue A. B. P. oz J. And in his default by the ſpace of one yeare, then he in the Reuerſion oz Remainder in fee ſimple ſhall haue the ſame remedie. And in his default the immediate Lozd of the fee. And in his default the M. oz the M. and Inſozmer. But this Act ſhall not extend to any land conuerted from tillage into paſture foz the onely keeping of his owne hozſes, dzaught oxen, kine, oz other cattell foz the onely victuals to be ſpent in his owne houſe, ſo that he hath not other ſufficient paſture within v. Miles: noz to any parke, warrein of conies &c. *vt ſupra.* 5. Ed. 6. 5. Mp. 39. El. 1.

3 A Reuiuer of the Statute of 22. H. 8. 12. and 3. & 4. Ed. 6 16. touching relieuing Powze, and impotent perſons, and puniſhment of Vagabonds. The powze and impotent perſons of euery Pariſh ſhall be relieued of that which euery perſon will of their charitie giue weekely. And the ſame relieſe ſhall be gathered in euery Pariſh by Collectozs aſſigned, and weekely diſtributed to the Powze, foz none of them ſhall openly go oz ſit begging. And if any Pariſhioner ſhall obſtinately refuſe to pay reaſonablie towards the relieſe of the ſaid Powze, oz ſhall diſcourage others: Then the Juſt. of Peace at the Quarter Seſſions may take him to a reaſonable weekely ſumme, which if he refuſe to pay, they may commit him to pzyſon. And if any Pariſh haue in it mozе impotent powze perſons then they are able to relieue, then the Juſtices of peace of the Countie may licence ſo many of them as they ſhall thinke good to beg in one, oz mozе Hundzeds of the ſame Countie. And if any Powze beg in any other place then he is licenced, he ſhall be puniſhed as a vagabond, accozding to the Statute of 22. H. 8. Mp. 14. Eliz. 5. Powze. Vagabonds.

4 A Repeal of ſo much of all fozmer Statutes as doe concerne the hyzing, keeping, departing, wozking, wages, oz ozder of ſeruants, wozkmen, artificers, and labozers, & of the penalties touching the ſame. Certaine ſciences, crafts, & occupations, wherein none ſhall be retained to ſerue vnder a whole yeare. What ſozt of perſons be compelable to ſerue in handycrafts, and what ſozt in huſbandzie. The penalties foz giuing oz taking of wages contrarie to this Statute, and foz putting away a ſeruant within his terme, oz without a Quarters warning, oz foz a ſeruant to depart within his terme, oz without a Quarters warning. The ſeuerall duties of wozkmen, appzentices, labourers, &c. AB. Labourers 1. &c. Iuſt. of Peace 66. 67. 68. Labourers. Seruants. Appzentices.

13. Eliz. 11. 27. Eliz. 15. 5 It ſhall be lawfull foz any of the Quenes ſubiects to tranſpozt out of this Realme in any Ships of the ſubiects afozeſaid, any Herring, & other Sea fiſh, to be taken vpon the Sea by any of the ſubiects afozeſaid, and that without payment of cuſtome. No pzice ſhall be ſet, oz toll ſhall be taken, of Fiſh taken in Engliſh mens ſhips. No French wine, oz Tholoſſe woad ſhall be bzought into this Realme, but in the Quenes ſubiects ſhips, ſauing into the Iſle of Man, &c. AB. Ships 1. 2. 3. 4. 5. No Purueyoz ſhall take Sea Fiſh from any without the owners conſent, which taketh it in an Engliſh veſſell. AB. Purueiors 24. What Herrings may be bought of ſtrangers. Cod & Ling ſhall be bzought iwſe into this Realme, and not in barrels. AB. Fiſh 13. 14. Owners of ſhips, Gunners, & Shipwrights may take Appzentices. AB. Labourers 30. A repeal of ſo much of the Statute of 5. & 6. Ed. 6. 14. and of ſo much of all other ſtatutes as doe concerne the buying of ſea Fiſh vnſalted, oz mudde fiſh, oz wine, oyle, oz ſalt, to be bzought into this Realme in any Engliſh mans Sea Fiſh. Engliſh ſhips. Purueyozs. Cod and Ling. Forеſtallers.

Eating of Flesh. ship. AB. Forestallers 7. Flesh shall not be eaten vpon Wednesdaies, nor vpon any fish dayes, but by licence. HP. 27. Eliz. 11. Who may grant licence to eate flesh vpon dayes prohibited: to whom, and vpon what conditions. AB. Fishdayes 1. &c. The Statute of 18. H. 6. 19. ordained to punish Souldiers departing from their Captaines without licence, shall extend to Mariners and Gunners. A Mariner or Fisherman shal not be compelled to serue as a Mariner, or Souldier, but in some cases. AB. Mariners 1. 2. 3. The penalty for spreading of Newes concerning the eating of fish, or forbearing of flesh. AB. Newes 2. The prices of wines by small measure shalbe assessed by the Q. proclamation. HP. 1. Iac. 25. The statute of 24. H. 8. 4. touching sowing of hempe and flaxe, shall be reuiued in euery countie, where the Q. by proclamation shall publish it to be commodious. HP. 35. El. 7. The seuerall prices of Corne, when the same may be lawfully transported. AL. 1. Iac. 25.

Mariners.

Newes.

Wines.

Hempe and Flaxe.

Corne.

Selling wares vpon trust. 6 Whosoeuer shall sell or deliuer to any person (hauing not in possession lands or fees, to the cleere yearely value of 3000. l.) any forraine wares, not growne, or first wrought within the Q. dominions, appertaining to the clothing or adorning of the body, for which wares, or the workmanship thereof, the seller shall not haue receiued the whole money, or satisfaction in hand, or within xxvij. daies after the making or deliuerie thereof: The seller, maker, &c. shalbe without al remedie by order of any law, custome, or decree, to recouer any recompence for such wares, or the workmanship, whatsoeuer assurance he shall haue by band, suretie, promise, or pawne of the partie or any other: And all assurances and bonds in that case shall be void. EXP.

wares. 7 Certaine wares which be not lawfull to be brought ready wrought, to be sold, into this Realme. AB. Marchants 3. 3. Ed. 4. 4. 1. R. 3. 12.

Leather. 8 Who may be a Tanner. The seuerall duties of Tanners, Curriers, and Shomakers in their wares, and workmanships. Where, whē, and by whom leather shall be searched, sealed, and sold. Oakes shalbe felled in barking time onely. A restraint of transporting of leather. A Repeal of diuers statutes concerning leather, and wares made of leather. HP. 1. Iac. 25.

Periurie. 9 The seuerall punishments of those which shal procure, or commit wilfull periurie. AB. Periurie 1. &c. 29. Eliz. 5.

Witnesse. A witnesse vpon proces serued on him, & his charges tendred, shall appeare. AB. Witnesse 1. 1. Iacob. 25.

Seruant. 10 A reuiuer of the Statute of 21. H. 8. 7. whereby it is made felonie for a seruant to imbezell his masters goods of the value of xl. s. or aboue. AB. Felonie 10. 27. H. 8. 17.

Money. 11 The clipping, washing, rounding, or filing for gaines sake, of any money currant within this Realme shalbe high Treason. AB. Treason 5. 18. Eliz. 1.

Badger. 12 To what kind of person, and at what place, licence shalbe granted to be a Badger, Kidder, Drouer, &c. AB. Badger 1. &c. 13. Eliz. 25. 5. & 6. Ed. 6.

Wayes. 13 The Stat. of 2. & 3. P. & M. 8. Touching the amending of high waies continued: And seuerall authorities added to the superuisors of the high waies for the amending of them. AB. Highwaies 1. &c. 14. 29. Eliz. 5.

Forging. 14 The seuerall penalties for forging of deedes, the first, or second time, whereby anothers freehold, lease, annuitie, obligation, release &c. shalbe troubled, claimed, &c. AB. Forging 1. A Repeal of all former statutes made for forgery of deedes, writings, &c. & for the penalties of the same.

Prophecie. 15 The penaltie for publishing any false and phantasticall prophecie vpon Armes, fieldes, badges, &c. to the intent to make insurrection, dissention, &c. AB. Prophecies 1. 3. & 4. Ed. 6. 15.

Coniuration. 16 The seuerall penalties of Coniuration, or Inuocation of wicked spirits, & of witch craft, enchantment, charme, or sorcerie. HP. 1. Iac. 12. 33. H. 8. 8.

2.E.6.29. 17 A Reuiuer of the ſtatute of 25.H.8.6. whereby the commiting of Buggerie with mankind, or beaſt, is made felonie. AB. Felonie 9. — Buggerie.

18 The authoritie of the Lord Keeper of the great ſeale of England, and of the L. Chauncellor is, alwaies was, and ought to be one. — L. Keeper.

19 In the Statute of 1. Ed. 6. 1. touching carrying of Horſes out of this Realme, this prouiſo ſhalbe repealed, viz. (for their onely occupation in their iourneies, and not to the intent to ſell.) — Horſes.

22.H.8.10. 1.& 2.P.& M.4. 20 It ſhall be felonie to be ſeene in the companie of thoſe which call themſelues Egyptians, or diſguiſing them ſelues in their apparell or ſpeech, to continue with them one moneth. AB. Egyptians 2. — Egyptians.

31.H.8.2. 21 The penalties for breaking, or cutting out the head of any pole, moat, Stewe, &c. or for wrongful fiſhing therein: or for hunting in a parke: or for taking of Haukes, or Haukes egges out of anothers ground. AB. Fiſh 7. Hawkes 1. — Fiſh. Deare. Haukes.

22 To what purpoſes peltes may be made, And to what end any may buy the ſkinne of a Stagge, hynde, bucke, Doe, goate, fawne, or kidde. AB. Leather 49. Whoſoeuer ſhal ſhip any ſheepſkins, wool-fels, chorelings, morlings, or the ſkinnes of any ſtagge, hynde, bucke, Doe, fawne, or kidde, or the leather made of any of them, to the intent to tranſport them, ſhall forfeit them, and y. s. vj. d. for euery fell. EP. 8. Eliz. 14. for the ſheepe ſkinnes and lambe ſkinnes onely. — Peltes. Tranſporting of Fels.

23 The order of awarding and returning the writ of Excommunicato capiēdo. What is to be done if the Excommunicate appeare, and what if hee be not found. The cauſe of Excommunication whereupon the writ is to be awarded. AB. Excommunication 1, &c. — Excommunication.

13.Eliz.25. 24 The Stat. of 23. H. 8. 2. touching the making & repayring of Gaoles, ſhalbe reuiued, and continue ten yeares. And the J. of peace in the Counties of Penbroke, Glamorgan, Cardigan, Radnor, & Mountgomery in Wales, ſhal haue power to doe & execute al things concerning the new making of Gaoles, as the Juſt. & other perſons mentioned in the ſaid Stat. EP. — Gaoles.

35.H.8. 2.Ed.6.32. 25 In certaine caſes a Tales de circumſtantibus is to be graunted by the Juſt. at the great Seſſions in the twelue ſhires in Wales, & in the Counties Palantine of Cheſter, Durham, & Lancaſter. AB. Iurors 23. — Tales.

26 Inrolments of writings indented of any bargain of manors, lands &c. lying within the counties of Lancaſter, Cheſter, & Biſhoprick of Durham, being made within vj. months after the date therof, in the courts of ỳ ſame counties, ſhalbe good in law. AB. Inrolments 4.5. — Inrolment in Cheſter, Lancaſter, Durham.

27 Fines leuied before the Juſt. of the countie Palantine of Durham, of lands lying in the ſame county ſhalbe good. AB. Fines 12. — Fines in Durham.

28 The Biſhops of Hereford, S. Danies, &c. ſhal take order that the Bible, and booke of Common prayer, & adminiſtration of the Sacraments, ſhalbe tranſlated into the Welſh tongue: and that one of the ſame may be had in euery pariſh Church: And alſo a Bible &c. in Engliſh ſhall be in euery church there. AB. Wales 125.126. — Bible in Welch.

29 The confirmation of a Subſidie of vj. s. in the pound, granted to the Q. by the Clergie, to be paid in 3. yeares. EP. — Subſidie.

30 A Subſidie and two fifteenes granted to the Qu. by the Temporaltie EP. — Subſidie.

31 The Qu. generall and free pardon confirmed by Parliament. Except &c. EP. — Pardon.

Statutes made at the Parliament holden by Prorogation at *Weſtminſter*, 30. *die Septembris*, *Anno* 8. *Reg. Eliz.* & *An. Domini* 1566.

Biſhops. ¶ 1 All Acts heretofore made or done by any perſon, in, or about the Conſecration, confirmation, or inueſting of any perſon, elected to the dignitie of an Archbiſhop, or Biſhop, by vertue of the Qu. Letters patents, or Commiſſion, ſithence the beginning of her Raigne ſhalbe adiudged good. AB. Biſhops 5. 39. Eliz. 8.

Coſts and dammages. 2 The defendant ſhall recouer coſtes and dammages, where the plaintife doth delay his ſuite, doth diſcontinue, or is nonſuit. The penaltie for arreſting of any perſon at anothers ſuit, not knowing thereof. AB. Dammages 1. 2. 3.

Sheepe. 3 The penaltie for delinering, or receiuing into any ſhip, or Bothom, any ſheepe being aliue, to be conueied out of the Realme. AB. Sheepe 1. 2. 3. H. 6. 2.

Clergy. 4 He which taketh priuily money or goods from the perſon of any other, not knowing thereof ſhall not be allowed his Clergie. He that is allowed his Clergie ſhall anſwer to former offences. AB. Clergie 1. 18. 18. Eliz 6. 25. Ed. 3. 5.

Delegates. 5 A Sentence diffinitiue in a ciuil and marine cauſe by Delegates appointed by comiſſion ſhalbe finall. AB. Appeales 8.

Clothes. 6 For euery nine clothes vnwrought carried ouer ſea by licence, there ſhall be one cloth wrought tranſported of like ſort, length, breadth, and goodneſſe. Kentiſh and Suffolke cloth ſhall not be tranſported vnwrought by licence. AB. Draperie 102. 103.

Clothes in Shrewſburie 7 No perſon inhabiting in Shrewſbury, or the liberties therof (other then ſuch as hath ſerued in the occupation of Drapers, or is free thereof) ſhall occupie the trade of buying of Welch cloth, or lining cottons, freezes, and plaines, nor haue any Factor for him in the ſame. HP. 14. El 12. Occupiers of Welch cloth ſhall pay the Sheareman ready money. No retailer of freezes, cottons, or plaines in Shrewſburie ſhall worke the ſame. AB. Draperie 55. 56. 4. & 5. P. & M. 8.

Horſes. 8 A Repeal of ſo much of the Statute of 32. H. 8. 13. as doth concerne the height of horſes feeding vpon any of the mariſh leggie grounds in the Counties of Huntington, Cambridge, Northãpton, Lincolne, Norfolke, Suffolke, or the Ile of Elie. And of what height the horſes feeding in any of thoſe mariſh grounds ſhalbe. AB. Horſes. 3.

Veſſels. 9 A Repeal of ſo much of the Statute of 23. H. 8. 4. as concerneth the prices of veſſels for Ale and Beere. Iuſtices of peace, and head officers, in corporate townes, ſhall aſſeſſe the prices of veſſels for Ale and Beere. AB. Cowpers 1.

Bowes. 10 A Repeal of ſo much of the Statutes of 22. Ed. 4. 4. 3. H. 7. 13. and 33. H. 8. 9. as doth concerne the prices of Bowes. A Bowyer dwelling in London or the Suburbes ſhal haue long bowes of Elme, &c The prices of Bowes. AB. Bowes 4. 5. 1. Iacob. 25.

Hats & caps. 11 None ſhall worke hattes with forraine woll, but which hath beene an Apprentice. The making, dying, thicking, and fulling of cappes. How many Apprentices a maker of hattes may take. AB. Hattes 1. 2. 3. Who may ſearch hattes and cappes in London, and correct the offendors. AB. Corporations 18. None vnder the degree of a Knight or Lords ſonne, may weare a hatte, or vpper cappe of veluet, or couered with veluet. HP. 1. Iacob. 25. 1. Iacob. 17.

Lancaſhire clothes. 12 The owners marke, & the Aulnegers ſeale ſhal be put to clothes made in the Countie of Lancaſter, before they ſhalbe ſolde, or carried forth of ỹ county.

In

In what townes in Lancashire the Aulneger shall haue a deputie. The Aulnegers fee for euery cloth. Of what length, breadth, and weight cottons, frezes, & rugges made in Lancashire shalbe. AB. Draperie 3.4.95.96. A repeal of euery branch contained in any statute heretofore made concerning the making, and sealing of the said cottons, frezes, and rugges.

13 The maister, wardens, and assistants, of the Trinitie house at Deptford Strond, may at their costs from time to time, erect such, and so many beacons, markes, and signes for the sea, in such places of the sea shores, & vplands neere the sea coastes, onely for sea markes, as to them shall seeme requisite. And the same shalbe continued, and renued at their costs. HR. Sea markes. Trinitie house.

14 A Repeal of so much onely of the statute of 5. El. 22. as concerneth the transporting of tawed leather of sheepskins, and lambeskins. Leather.

15 That branch onely of the statute of 24. H. 8. 10. shalbe reuiued, which concerneth the prouision, vse, and maintenance of nets, and shrapes for ỹ destruction of Crowes, &c. Seuerall rewards assigned for the taking, and bringing of the heads, and egges of diuers rauenous birds, and vermin. EXP. Crow-nets.

13. Eliz. 22. 16 The Shirifwicke of seuerall counties diuided into two Shirifes, which before had but one AB. Shirifes 29.30. Shirifwicke.

17 A confirmation of a Subsidie of iij. s. in the pound granted to the Qu. by the Clergie to be paid in 3. yeares EXP. Subsidie.

18 The Qu. free and generall pardon confirmed by Parliament: Except &c. EXP. Pardon.

19 A grant by the Temporaltie to the Qu. of one Subsidie, and of one fiftéene and Tenth. EXP. Subsidie.

Statutes made at the Parliament begun at Westminster, 2. *die Aprilis Anno* 13. *Reg. Eliz. & Anno Dom.* 1571.

¶ 1 It shalbe high Treason to intend destruction, or bodily harme to the Quéene or to leuie warre, or to moue others to warre against her: or to affirme that the Quéene ought not to inioy the Crowne, but some other person. Or to publish that the Quéene is an heretick, schismatick, tyrant, infidell, or vsurper of the crowne: or to claime right to the crowne: or to vsurpe the same during the Q. life: or to affirme the right in succession of the crown in some other then the Quéene: Or to affirme that the lawes and statutes doe not bind the right of the crowne, and the discent, limitation, inheritance, and gouernance thereof. Whosoeuer shall during the Q. life, by any booke, or worke written, or printed, expresly affirme (before the same bée established by Parliament) that any one particular person is, or ought to bee heire and Successor to the Quéene, except the same be the naturall issue of her body: Or shal wilfully set vp in open place, or spread any bookes or scrowles to that effect: Or shall print, binde, or put to sale, or vtter, Or cause &c. any such booke, or writing, he, his abettors, and counsellors, shal for the first offence be a whole yeare imprisoned, and forfeit halfe his goods, And for the second offence shall incurre the penalty of Premunire. EXP. 2. Ed. 6. 12. 1. Eliz. 5. 1. & 2. P. & M. 10. 26. H. 8. 13. 5. Ed. 6. 11. Treasons. The crowne

2 The seuerall penalties for giuing, or taking of Absolution, by force of any Bull, or other instrument from the Bishop of Rome: or for concealing such Absolution, Bul, or Instrument offered: or for bringing into this Realm, or receiuing any Agnus Dei, Pictures, Crosses, Beades, from the Bishop or Absolution. Rome.

Sea of Rome: or for not disclosing the offendor. AB. Rome 2.&c.

Fugitiues. 3 If any borne within this Realme, or made free Denizen, hath departed, or shall depart the Realme, without the Queenes licence, vnder the Great, or Priuie seale, and shall not returne againe within fiue moneths after warning by Proclamation, hee shall forfeit to the Quéne the profits of all his lands during his life, and also all his goods and cattels. The like penaltie hee shall sustaine, which hauing licence, shall not returne within fiue moneths after his licence expired. The offendor shall haue restitution vpon submission. Fraudulent assurances made by fugitiues of their landes, and goods, to deceiue the Quéne, shall be void. EXP. 5.R.2.2. 14.Eliz.6.

Accomptant to the King. 4 Treasurers, receiuers, and other Accomptants lands, shall be liable to the payment of the Q. debts. In some cases the Q. may sell the Accomptants lands. The Q. remedie where the Accomptãt purchaseth lands in other mens names. AB. Accompt. to the K. 29.30.&c. 14.Eliz.7.

Fraudulent dœds. 5 All fraudulent conueiances made to auoide the debt, or dutie of others, shalbe void. The penalties of such which be parties to such fraudulent assurances. AB. Fraudulent &c.1.2. 2.R.2.3. 3.H.7.4. 29.Eliz.5.

Exemplification. 6 An Exemplification of the Inrolment of the Qu. letters patents vnder the great Seale, shalbe of the same value, as if the said Letters Patents were pleaded and shewed. AB. Exemplification 1. 3.Ed.6.4.

Bankrupt. 7 Who shalbe said a Bankrupt. Commissioners shall take order with his body, lands, and goods, for the paiment to euery of his creditors a portion. AB. Bankrupts 1.&c. 34.H.8.4. 1.Iac.15.

Vsurie. 8 The statute of 37.H.8.9. reuiued: and the statute of 5.Ed.6.20. repealed which were made against Vsurie. The forfeitures where aboue ten pounds shalbe reserued for the lone of an hundred pounds for one yeare, & where lesse. The penaltie of Brokers, and driuers of vsurious bargaines. AB. Vsurie 6. &c. 39.Eliz.8.

Sewers. 9 How long a Commission of Sewers, and how long the Commissioners orders shall endure in force. In some case the Justices of peace shal execute the commission. There shalbe no Certificat of the Commission, or the Commissioners orders. A fermor of lands chargeable shall not be Commissioner within the same precinct. AB. Sewers 12.15.16. 3.E.6.8.

Dilapidatiõs. 10 Fraudulent dœdes made by spirituall persons to defeat their Successors of remedie for Dilapidations shall be void. AB. Dilapidations 1. What conueiances, & for how long time, spirituall persons may make of their lands, tithes, &c. AB. Ecclesiasticall &c. 7.

Sea fish. 11 A Reuiuer of so much of the statute of 5. Ed. 5. as concerneth the transporting of herring and sea fish, in English shippes with crosse sailes, without paiment of custome &c. AB. Ships 1. All the Qu. subiects may bring into this Realm, by ships with crosse sailes, coddes or lings in vessels, notwithstanding the statute of 5.El.5. EXP. What kinde of ships shall not anker vpon the sea in fishing time. AB. Shippes 6. The lawfull assise of herring barrels. Fish brought in by strangers shall not bee dried in England. AB. Fish. 9. 15. 27.Eliz.15. 23.Eliz.7.

Articles of Religion. 12 The penaltie for an Ecclesiasticall person to maintaine doctrine contrarie to any of the articles touching religion. Of what age a man beneficed must be: he shall read the same Articles. Of what age a man ought to be which shalbe admitted to the Ministerie, or to preaching. His Testimonall, and allowance to preach. There shalbe no lapse but after notice. AB. Ecclesiasticall 1. &c.

13 Corne

13 Corne may be tranſported when the prices be allowed reaſonable by the Preſidents and Councell of the North, and Wales, or by the Juſtices of Aſſiſe, or Juſt. of peace: Which notwithſtanding may be reſtrained by the M. Proclamation. AB. Corne 7. 8. The cuſtome of Corne tranſported. AB. Cuſtome 4. Corne.

14 The Stat. of 12. Ed. 4. 2. Touching Bowſtaues, confirmed. Foure Bowſtaues ſhall be brought into this Realme for euery Tunne waight of marchandize. AB. Bowes 1. Bowſtaues.

15 A reuiuer of the Stat. of 1. Eliz. 13. Prohibiting the croſſing of the Sea with a Hoy, or Plate of an Engliſh mans. And a repeal of a Braunch of the Stat. of 5. Eliz. 5. that repealeth that Statute. Hoy.

16 The conuictions, outlawries, and attainders of Charles Earle of Weſtmerland, & 57. others attainted of Treaſon for open Rebellion in the North parts, confirmed. The Quéene her heires & ſucceſſors, ſhall haue for this time all the lands and goods, which any of the ſaid perſons attainted had, within the Biſhopricke of Durham, againſt the Biſhop, and his ſucceſſors, though he claimeth Iura Regalia, and challengeth all the ſaid forfeitures in the right of his Church. HR. Attainder of Treaſon.

17 Robert Earle of Leiceſter ſhall haue authoritie to found an Hoſpitall in Warwicke, or Kenelworth, for reliefe of Poore and impotent people: which Hoſpitall ſhall haue capacitie to purchaſe landes in any Countie of England, not exceeding the yearely value of CC. li. aboue all charges, that be not holden of the Quéene immediatelie by Knights ſeruice in chiefe, or elſe by Knights ſeruice not in chiefe. HR. Leiceſters Hoſpitall.

3. H. 5. 9. H. 5. 9. 18 The Riuer of Lée, otherwiſe called Ware riuer, by a new cut or trench (to be made within 5. yeares at the charges of the L. Maior, Commi-naltie, and Citizens of London) ſhall be made to conuey by water all Vitailes, Corne, and other neceſſaries, from the Towne of Ware to the Citie of London, and from London to Ware. HR. The ryuer of Lée.

19 Euery perſon aboue the age of vj. yeares, ſhall weare vpon the Sabboth, and holy day, (vnleſſe in the time of their trauailes out of their Townes, Hamlets, &c.) vpon their Head, a Cap of woll, knit, thicked, and dreſſed in England, made within this Realme, and onely dreſſed & finiſhed by ſome of the trade of Cappers, vpon paine to forfait for euery day not wearing iij. s. iiij. d. Except Maides, Ladies, Gentlewomen, Noble perſonages, and euery Lord, Knight, and Gentleman of xx. Markes land, and their heires, and ſuch as haue borne office of worſhip in any Citie, borough, towne, hamlet, or Shire: and the Wardens of the worſhipfull Companies of London. HP. 39. Eliz. 18. Wearing of Caps.

14. Eliz. 11. 18. Eliz. 10. 20 No Leaſe made of an Eccleſiaſticall lyuing with Cure, or any part thereof, ſhall endure any longer, then while the Leſſor ſhall be ordinarily reſident, and ſeruing the Cure of ſuch Benefice, without abſence aboue 80. dayes in any one yeare, but euery ſuch Leaſe, (So ſone as it, or any part thereof ſhall come to any poſſeſſion, or vſe aboue forbidden, or EXP.) immediatly vpon ſuch abſence ſhall ceaſe, and be voide. AB. Eccleſiaſticall &c. 9. 11. Leaſe of a benefice.

1. Iac. 25. 2. & 3. P. & M. 15. 21 In what caſes the kings Purueyors may take Corne, or Vitaile, in Cambridge, or Oxford, or within fiue miles thereof, and in what not. AB. Purueyors 33. &c. Purueyors.

22 A Confirmation of the Stat. of 8. Eliz. 16. Touching the deuiſion of the Shirifewicke of ſeuerall Counties, to continue for euer, (Sauing for the Shirifes of Suſſex and Surrey.) AB. Shirifes 29. 30. Shirifes.

23 Away

Pauing in London. 25 A way without Algate in the ſuburbes of London, ſome time called the Barres next Algate: And a way leading from the old Cage to the North end of Nightingale lane: And an other way betweene the ſaid old Cage and Croſſe Hill in the parith of S. Marie, ſhall be paued with ſtone, & ſo ſhall be for euer continued by thoſe which be ſeiſed in fée ſimple, fée taile, or for terme of life, of landes adioyning to the ſaid highwayes, on the one ſide, or on the other, vnto the middeſt of the ſaid wayes. HR. 23.Eliz.12.

Pauing of Ipſwich. 24 The ſtrétes of Ipſwich in the Countie of Suffolke, and of the Suburbes thereof, ſhall be paued with good pauing ſtone, and for euer repaired by the owners, landlords, or terre-tenants, along, from, & againſt their houſes, lands & tenements, adioyning to the ſtréte, viz. ſo much of the ſaid Stréte in length, as his houſe, lands, &c. ſo adioyning extendeth vnto, & in breadth during all the ſaid length to the Chanell, or to ſuch place as the chanell there ſhall be appointed by the Bayliſes, vpon paine of forfeiture for euery yard ſquare not ſufficiently repaired vij. ſ. The Bayliſes of Ipſwich, & the Portmen there, the Churchwardens, and foure of euery Pariſh ſhall haue authoritie to tare vpon euery houſe, ground, and tenement frée, and copie, ſcituat within the ſeuerall Pariſhes of Ipſwich, reaſonable ſummes of money to be yearely payed, aſwell toward the finding of a conuenient ſtipendarie Miniſter, within euery Pariſh, as for the reparations of the Churches there. HR.

Miniſter. Church.

Continuance of Statutes. 25 The Stat. of 23.H.8.17. concerning the winding of Woll, And of 23.H.8.3. touching Attaints, And of 35.H.8.17. for the preſeruation of Woodes, And of 5.& 6.Ed.6.14. againſt Foreſtallers &c. And of 2.& 3.P. & M.3. concerning keéping of Milch Kyne, and breéding of Calues, made perpetuall. The Stat. of 23.H.8.2. and of 5.Eliz.24. touching the making and repayring of Gaoles, ſhall extend to the Countie of Cambridge, & ſhall be reuiued, and continue x. yeares after the x. yeares mencioned in the ſaid Stat. of 5.Eliz. Seuerall other Statutes continued vntill the end of the next Parliament. EXP.

Woods. All Woods or Copies intended by the foreſaid Stat. of 37.H.8.17. to be incloſed, or the ſpringes thereof preſerued, ſhall be incloſed, and the ſpringes thereof ſaued from deſtruction, by the ſpace of two yeares more then in the ſaid Act is limitted. AB. Woods 1. &c.

Subſidie. 26 A confirmation of a Subſidie of vj. ſ. in the pound graunted to the Queéne by the Clergie, to be paied in iij. yeares. EXP.

Subſidie. 27 A confirmation of two Fifteénes & Tenthes, and one Subſidie graunted to the Queéne by the Temporaltie. EXP.

Pardon. 28 A confirmation of the Q. frée and generall Pardon: Except &c. EXP.

Statutes made at the Parliament begun at Weſtminſter 8. *die Maij*, *Anno* 14. *Reg. Eliz.* & *Anno Domini* 1572.

The Q. forts & Ships. ¶ 1 It ſhall be Felonie to take, or keépe from the Queéne any of her Caſtles, Fortes, Holdes, &c. Or to race, or burne any Caſtle, or fort hauing the Queénes Munition, or Ordinance therein, or garded with Souldiers: and aduiſedly to erpreſſe the ſame by wordes, actes, or writings. It ſhall be high Treaſon to withhold from the Q. any of her Caſtles, hold, &c. Or any of her Ships, Artillerie, or Fortifications of warre: Or to burne, or deſtroie any of her Ships: Or to barre any Hauen. EXP. 5.Ed.6.11.

Inlarging a prſoner. 2 The penaltie for conſpiring, deuiſing, or going about to inlarge any perſon committed to prſon, or cuſtodie, by the Q. ſpeciall commaundement, for any Treaſon, or ſuſpition of Treaſon, concerning her owne perſon, and the

the ſame conſpiracie, deuiſe, &c. by expreſſe wordes, writing, or other matter, manifeſtly to declare or ſet forth, before the priſoner ſhall be inuited, ſhall be deemed Miſpriſion of Treaſon, after Indictment felonie, after Attainder high Treaſon. EXP.

3 It ſhall bee Miſpriſion of High Treaſon to forge Money, which neither is the Coyne of this Realme, nor currant therein. AB. Treaſon 4. Forging Money.

4 A reuiuer of the Statute of 1. Eliz. 10. prohibiting the tranſporting of Leather, raw Hydes, and Tallow. EXP. 18. Eliz. 8. Leather.

5 A Repeal of the Stat. of 22. H. 8. 12. 3. & 4. Ed. 6. 16. and 5. Ed. 6. 2. prouided for the relieſe of the Poore, and puniſhment of Vagabounds. A Vagabond aboue the age of viij. yeares ſhall be adiudged to be grieuouſly whipped, and burned through the griſtle of the right eare with a hoate yron of the compaſſe of an inch, vnleſſe ſome credible perſon will take him into ſeruice for a yeare. And if, being of the age of xviij. yeares, he after doe fall againe into a roguiſh life, he ſhall ſuffer death as a Felon, vnleſſe ſome credible perſon will take him into ſeruice for two yeares. And if he fall a third tyme into a Roguiſh life, he ſhall be adiudged a Felon. Who ſhall be adiudged Vagabonds. The penaltie for the relieſe of them. Who may make Paſports and Licences, and to whom. Aſſeſſements ſhall be made of the Pariſhioners of euery Pariſhe, for the relieſe of the poore of the ſame Pariſh. Vagabond. 35. Eliz. 7. EXP. 39. Eliz. 4. 43. Eliz. 2. Poore.

2. H. 5. 1. Euery Biſhop ſhall viſite and reforme Hoſpitals within his Dioceſſe. No perſon ſhall bring any Rogue out of Ireland, or the Iſle of Man into England. EXP. The Juſtices of Peace at their Quarter Seſſions ſhall take euery Pariſh within their Shire, for the relieſe of Priſoners in their common Gaole. AB. Priſon 4. 2. Iacob. 25. Priſoners.

6 The Queene may make graunts by copie of Court Roll, vſuall woodſales, or other things, of Fugitiues landes, as Tenant pur terme dauter vie may doe. The Rents of Fugitiues landes ſhall be anſwerable in the Exchequer, and of Dutchy landes, in the Court of the Dutchy of Lancaſter. EXP. 13. Eliz. 3. Fugitiues.

7 The Stat. of 13. Eliz. 4. Touching and inabling Treaſorers, and Receiuers landes to be lyable to the payment of the Queene her debtes, ſhall extende to Vndercollectors of Tenthes, and Subſidies, AB. Accompt &c. 40. 1. Iac. 25. Vnder Collectors.

8 A Recouerie had by aſſent of the parties againſt Tenant for terme of life, ſhall be voide, except it be by aſſent of him in the Reuerſion, or Remainder. AB. Recoueries 5. 6. 7. A Repeal of the Statute of 32. H. 8. 31. Recouerie.

9 In what caſes a Tales de circumſtantibus ſhall be graunted at the tenant or defendants requeſt. AB. Iurors 25. 26. Tales.

10 No perſon vſing the trade of making of Kerſies, ſhall purpoſely make any aboue the length of xviij. yardes. EXP. 3. Iac. 16. 5. Ed. 6. 6. 4. & 5. P. & M. 5. Kerſies.

11 Seuerall Statutes made in the raignes of king H. 8. K. Ed. 6. and Q. Eliz. reuiued, and continued vntill the end of the next Parliament. EXP. But theſe wordes in the Statute of 13. Eliz. 20. ſhall not be reuiued, viz. (So ſoone as it, or any parcell thereof ſhall come to any poſſeſſion or vſe aboue forbidden, or &c.) Of what force bonds, promiſes, and couenants made for the ſuffering of any perſon to enioy any Benefice with cure ſhall be. Colledges may let certaine landes to farme for xl. yeares, Notwithſtanding the Statute of 13. Elizab. 10. But they may not alien them, except they haue ſufficient and preſent recompence. AB. Eccleſiaſticall &c. 8. 10. 12. 1. Iac. 25. Leaſes of Benefices. Colledges. Leaſes.

Money

Dilapidations. Money recouered for dilapidations, ſhall be imployed in reparations. AP. Dilapidations 2. 13.Eliz.10.

Welch Cloth. Shrewſbury. 12 A repeal of ſo much of the Stat. of 8.Eliz. 7. as reſtrayneth any Inhabitants in Shrewſbury to buy Welch Cloth, Cottons, or Frizes: And the reſidue of the ſaid Stat. confirmed.

Heram. 13 Heram, and Heramſhire with the Liberties thereof, ſhall be taken to be within & parcell of the County of Northumberland. AB. Hexam 1. 2.H.5.5. 9.H.5.7. 11.H.7.9.

Statutes made at the Seſsion of Parliament holden by *Prorogation at Weſtminſter, 8. die Februarij, Anno* 18. *Reg. Eliz. & Anno Domini* 1575.

Money ſkaled ¶ 1 The diminiſhing, ſkaling, or lightning of any Coine currant within this Realme, ſhall be high Treaſon. AB. Treaſon 6. 5.Eliz.11.

L. Patents. 2 A confirmation of all Letters Patents made by the Quéene, ſithence the firſt day of her Raigne, or to be made by. yeares after, Notwithſtanding any miſrecitall, Non-recitall &c. And a like Confirmation of all aſſurances made, or to be made to the Q. during the ſaid time. AB. Patents 3. 4.5.6.7. 43.Eliz.1.

Baſtard. 3 Juſtices of Peace ſhall take order for the puniſhment of the Mother, and reputed Father of a Baſtard, and for the keping of the ſame Baſtard. AB. Baſtard 1. A Rogue ſhall be conueied from Conſtable to Conſtable, vntill he come to the Gaole. A Stocke to ſet the poore on worke ſhall be prouided in euery Citie & Towne corporat. Houſes of Correction ſhall be aſſigned in euery Countie. Landes holden in ſocage may during rr. yeares be giuen towards the maintenance of houſes of Correction, and Stockes for the poore. HP. 1.Iac.25. 35.Eliz.7.

Aſſurances by Rebels. 4 Euery perſon which hath, or claimeth to haue any eſtate of inheritance, leaſe, or rent, not already entered of record in the Exchequer, of, in, or to any landes, or hereditaments, &c. by any aſſurance made by Charles Earle of Weſtmerland, or any other Rebels in the North attainted, named in the Stat. of 13. Eliz. 16. or in any of the Records of their ſeuerall attainders, at any time within two yeares next before the 7. day of Nouember, añ 11. of the Quénes raigne, ſhall within one yeare next inſuing the firſt day of May next, openly ſhew forth in the Exchequer, in the Terme time, the ſame his conueyance, and exhibite the ſame to be inrolled of record: Or elſe euery ſuch conueyance made by any of the ſaid Rebels ſhall be void. And after the ſaid party which exhibiteth the ſame Conueyance, may within one yeare produce witneſſes to be examined in the Exchequer, to proue the ſame to be made Bona fide. And yet if at the ſuit of the Quéene, or any of her Patentées, it ſhall be found by verdict, that any ſuch Conueyance was made by couyn, to defraud the Q. of her forfeiture, it ſhall be void. But this Act ſhall not extend to any Bargaine & ſale made of landes by déede indented and inrolled, nor to Leaſes for three liues, or rrj. yeares, nor to eſtates graunted by Copie according to the cuſtome of the manour, ſo vſed to be letten, by the ſpace of twenty yeares, whereupon the old, and accuſtomed yearely rent, or more ſhall be reſerued. HR. 29.Eliz.3.

Informer. 5 The dutie of an Informer in proſecuting a ſuite vpon a penall Statute And his puniſhment if he abuſe it. AB. Actions p. 3. 4. 5. In what caſe a Jurie ſhall be compelled to appeare at Weſtminſter for the triall of an iſſue vpon a penall law. AB. Iurors 31. 27.Eliz.10. 31.Eliz.5.

6 No man ſhall haue his Clergie, which committeth any Rape, or Burglarie, or doth carnally know, or abuſe any woman childe vnder the age of Clergie.
8.Eliz.4. x. yeares. He that is allowed his Clergie, ſhall anſwere to other felonies.
25.Ed.3.4.5 And he that is allowed his Clergie ſhall not be committed to the Ordinarie, but forthwith inlarged. AB. Clergie 10.18.20.

7 The Quæne may, and ſhall appoint two Juſtices for euery Circuite in Wales. Of what things thoſe Juſtices may hold plea. AB. Wales 5.6. Juſtices in Wales.

27.H.8.14. 8 A Repeal of the Stat. of 1. Eliz. 10. and 14. Eliz. 4. touching the tranſporting of Leather. The penaltie for ſhipping or lading of any Leather, Tallow, or raw Hydes, to the intent to tranſport the ſame beyond the Sea. AB. Leather 50. Leather.

2.& 3.P.& M.8. 9 What ſhall be the charge of euery perſon towards the repaire of Highwayes, in reſpect of his lands, or goods, or ſeuerall ploughlands. Who ſhall Highwayes.
5.Eliz.13. ditch, or ſkoure, or make ſluces in or nære the highway. No perſon ſhall caſt any ſoyle in the Highway. AB. Highwaies 12.13.14.15.16. The Jurie at the Quænes Court at Ringeſborow in the Iſle of Sheppey in Kent, ſhall tare themſelues, and all other the land occuppyers of the ſaid Iſle, according to euery mans occupying, towards the maintenance of Kings Ferrie within Kings Ferry
the ſaid Iſle, & the wayes leading to the ſame: So as no acre of freſh Marſh be rated aboue one penie in a yeare, nor x. acres of ſalt Marſh aboue a penie
27.Eliz.26. in a yeare. HR. It ſhall be lawfull yearely during ten yeares, for iij. Juſtices of peace to tare all land occuppyers dwelling out of the ſaid Iſle, and within iij. myles from the Ferrie, for the amendement of the highway leading from Middleton to Kings Ferrie. EP.

10 A Leaſe or other conueyance made of any Spirituall lyuing, whereof Leaſes of Spiritual &c.
there is a Leaſe in bæing not to be determined within three yeares ſhall be void: and ſo ſhall euery bond, and couenant, for the renuing thereof. A Sequeſtration ſhall be graunted by the Ordinarie of the Tithes of a Parſonage demiſed contrarie to the Statute of 13. Eliz. 20. and the Pariſhioners may
retaine their Tithes. S. Johns Colledge leaſe, to the heires of White of Sir Tho. White.
Fifeld. AB. Eccleſiaſticall &c. 7.9.

11 There ſhall be a triall in Weſtminſter Hall by Niſi prius, of iſſues Niſi prius.
ioyned in the Chauncerie, Kings Bench, Common Place, or Exchequer. AB. Niſi prius 4.&c.

12 The tranſcripts of all offices found before Eſcheators, or Commiſſioners, within the Counties Palantine of the Dutchie of Lancaſter, Cheſter, Office.
and Durham, ſhall be certified into the Court of Wardes. AB. Office 7.

32.H.8.30. 13 After verdict giuen in Court of record, there ſhall be no ſtay of iudge- Ieofaile.
2.Ed.6.5. ment, or reſeruing thereof for want of forme, falſe Latine, variance, &c. AB. Ieofaile 2. When an Attourney ſhall deliuer his warrant of record. AB. Attourney 13. Attourney.

2.H.6.14. 14 Of what fineſſe Goldſmithes ſhall make their wares of gold, & ſiluer. Goldſmithes.
A Goldſmith ſhall ſet his marke to his ware. AB. Gold 10.&c.

15 A Repeal of ſo much of the Stat. of 4.& 5.P.& M.5. prohibiting the Cloth.
making, weauing, or rowing of woollen Cloth but in a Corporat, or Market towne, as concerneth any perſons dwelling in Somerſet, Glouceſter, and Wiltſhire. In what houſes Clothiers in thoſe Counties may make Cloth out of a Citie or Market towne. How much land a Clothier may kæpe in his occupation. AE. Draperie 80.81.82.

9.H.5.12. 16 The morrow after the Quarter Seſſions holden next after Eaſter in Rochester.
Kent, the Wardens & Comminaltie of the lands contributorie to Rochester Bridge. Bridge, ſhall for euer aſſemble at the Caſtle of Rochester, and there elect by
the

the moſt voices, two perſons of the ſame Comminaltie, to be Wardens of the ſaide Bridge, and twelue perſons of the ſame Comminalty, to be Aſſiſtants to the ſaid two Wardens, for one yeare after the feaſt of Pentecoſt then following. And the two Wardens ſo choſen ſhall doe their endeuor that yeare to benefit the ſaid Bridge: and ſhall receiue the fines, rents, and reuenues of the lands belonging to the Bridge, and of all contribution-money payable to the vſe of the ſame Bridge: and ſhall anſwere, and pay out of the ſame, as cauſe ſhall require. The new Wardens ſhall be bound to the former Wardens to make an accompt. The old Wardens ſhall accompt the Thurſday in Whitſon weeke. The Wardens and Aſſiſtants ſhall ſubſcribe to all Leaſes made of any of the Bridge lands: Which Leaſes ſhall be made but of ſuch effect as tenant in tayle may doe by the Stat. of 32. H. 8. 28. and for no fines. And euery ſeauenth yeare there ſhall be made a Terrier of the lands leaſed. No owners or tenants of lands contributorie to the maintenance of the ſaid Bridge, ſhall be aſſeſſed to pay any dutie towards the maintenance thereof, but onely when the rents or profites of the landes belonging to the ſame be not ſufficient. HR. 27. Eliz. 25.

Chepſtow bridge.

17 The Countie of Glouceſter, & the Countie of Monmouth, ſhall ſtand for euer chargeable, for the maintenance, repayring, and new making of Chepſtow Bridge, as often as neede ſhall require, viz. either of them for ſuch part and moitie, as lyeth in the midle of the ſtreame of the water of Wye, on the ſides of the Lordſhips of Chepſtow, and Aydenham. And for the aſſeſſement, collection, and imploying of the money thereupon to be ſpent, ſuch order ſhalbe obſerued, as is appointed by the Stat. of 22. H. 8. 5. & P. 3. Iac. 23.

Pauing of Chicheſter.

18 Euery perſon which ſhall be immediate owner, landlord, or terre-tenant of any houſe, lands, or tenements within the Citie of Chicheſter, in fee ſimple, fee taile, for life, or yeares, ſhall from time to time, by the aſſignement of the Maior of the ſaid Citie, cauſe to be paued with good pauing ſtones along from, and againſt his houſe, landes &c. adioyning to the Streete, ſo much of the ſaid Streete, as is in length to the channell, vpon paine of forfeiture of iij. s. iij. d. for euery yard ſquare not paued. The Leſſees for yeares, or at will, may defalke ſo much of their Lordes rent, as they ſhall beſtow in ſuch Pauing, vnleſſe they ſhall otherwiſe couenant. HR.

High wayes neere Oxford. 35. Eliz. 7.

19 Euery perſon inhabiting within fiue Myles of the Citie of Oxford, or the fraunchiſes of the ſame, hauing in his occupation one yard land, or hauing a Draught, cart, plough, or wayne, ſhall at his owne charge ſend, for the repairing, and vp buylding of the decayed Bridges, wayes, and paſſages, lying within one myle of Oxford, one wayne, cart, or draught furniſhed, after the cuſtome of the Countrie, with oxen, horſes, &c. and all other neceſſaries meete to carie things for ſuch purpoſe, and able men to load, and vnload the ſame cart, &c. And euery other Houſholder, Cotager, or Labourer, inhabiting within the foreſaid compaſſe (being no hyred ſeruant) ſhall by him ſelfe, or other ſufficient labourer, hauing meete toles, worke vpon the premiſſes: which perſons, by the commaundement of the Superuiſors, ſhall make their carryages, and keepe their worke ſix whole dayes, at ſuch places as to them ſhall be aſſigned, vpon paine of forfeiture for euery day, or part of day wanting v. s. The ſaid Superuiſours may cauſe to be digged grauell, ſand, rubbiſh, ſtone, ſynder, and other things in the ground of any perſon, for the amendement of decayes. HR. 1. Iacob. 25

Woodſtocke.

20 It ſhall be lawfull to euery perſon to buy and ſell within the Borough of new Woodſtocke, in the Countie of Oxford, all manner of Woolles and Yarnes brought into the ſaid Borough, vpon the viuall market, and fayre dayes,

dayes, and the ſame to vſe and imploy to their beſt profit. HR.

21 The confirmation of a Subſidie of vj. ſ. in the pound graunted to the Quéene by the Clergie, to be paid in iij. yeres. EXP. Subſidie.

22 Two Fiftænes and Tenthes, and one Subſidie granted to the Quéen by the Temporaltie. EXP. Subſidie. Fiftænes.

23 A confirmation by Parliament of the Q. fræ and generall pardon: Except &c. EXP. Pardon.

Statutes made at the Seſsion of Parliament holden by *prorogation at Weſtminſter 16. die Ianuarij, Anno 23. Reg. Elizab. & Anno Domini 1581.*

¶ 1 It ſhall be high treaſon to perſwade, or withdraw any from their naturall obedience to the Quæne, or to withdraw or reconcile them for that intent, from the Religion now vſed, to the Romiſh religion: or to be perſwaded, withdrawne, or reconciled. AB. Rome 7. 8. The penaltie for ſaying, or hearing of Maſſe. AB. Sacraments 11. The penalty for forbearing to come to the Church by the ſpace of a Moneth: Or for the keeping of a Schoolmaſter which doth not repaire to the Church. Couenous aſſurances made by Recuſants to defraud the Quæne ſhalbe void. AB. Recuſants 1. 2. 5. Romiſh Religion. Maſſe. Recuſant.
29. Eliz. 5. 35. Eliz. 1. 35. El. 2. 1. Iac. 4. 3. Iac. 4. 5.

1. & 2. P. & M. 3. 1. Eliz. 6. 2 If any perſon ſhall aduiſedly, and with a malicious intent, of his owne imagination, ſpeake any falſe and ſlaunderous Newes or tales againſt the Quæne that now is, Then hee ſhall haue both his Eares cut off, except hee pay CC. l. to the Qu. vſe in the Exchequer, within two monethes after Iudgement. And if he ſpeake ſuch ſlaunderous Newes of the report of any other, he ſhall haue one of his Eares cut off, except hee pay CC. Markes, &c. And if any perſon once conuict ſhall offend once againe, it ſhall bee adiudged Felonie. And if any perſon within this Realme, or without, ſhall deuiſe, write, print, or ſet forth, any Booke, Rime, Ballad, Letter, or writing, containing any falſe, ſeditious, and ſlaunderous matter, to the defamation of the Q. or to the ſtirring or moouing of any Rebellion: Or ſhall cauſe any ſuch booke, rime, writing, &c. to be written, printed, or publiſhed: Or ſhall by ſetting of any figure, caſting of Nativitie, or by Calculation, Prophecying, Witchcraft, Coniuration, &c. ſeeke to know, and ſhall ſet forth by expreſſe words, deeds, or writings, how long the Quæne ſhall liue: Or who ſhall Raigne as King or Quæne after her deceaſe: Or ſhall vtter any Prophecies, to any ſuch intent: Or ſhall wiſh or deſire the death, or depriuation of the Quæne, or any thing to the ſame effect: Then euerie ſuch offence ſhall bee adiudged Felonie. EXP. Slander of the Quæne.
1. & 2. P. & M. 9.

27. Eliz. 9. 3 Fines and Recoueries may be inrolled. For what Errors they may be reuerſed. Who may haue writs of Error to reuerſe them, and in what caſes. The day & yeare of knowledging of a Fine, or Warrant of Attourney ſhall be certified. There ſhall be an office of Inrolments. The fees for Inrolments of Fines and Recoueries. A Table ſhall be ſet vp containing the contents of euerie Fine &c. AB. Fines 22. &c. Fines. Recoueries.

2. & 3. P. & 1. M. 1. 4 The Quæne ſhall and may, as néede ſhall require, by Commiſſion vnder the great Seale, giue authoritie to certaine Commiſſioners, in all and euerie of the Counties of Northumberland, Cumberland, Weſtmerland, and the Countie Palantine of Durham, or in any one of them, to inquire what Tenancies, and houſes of habitation, ſithence An. 27. H. 8. bee decayed and not occupied by men able to ſerue as horſemen, or footmen, according to the antient duetie of thoſe Tenancies, and to examine the probable cauſes The borders of Scotland.

of thoſe ruines, and of all the wants, and euill furnitures of the ſaid Horſemen and Footmen: and to giue order for the reformation thereof, with al ſpeed for the defence of the frontiers towards Scotland. EP. & HP. 4. Iac. 1.

Iron. 5 Thoſe Woods ſhall not bee conuerted to Coales for the making of Iron 1. El. 15.
Workes, which ſhall grow within a certaine compaſſe of London, or Thamiſe. In what places new Iron Workes ſhall not bee erected. AB. Iron 4. 5. 6. 27. Eliz. 19.

Repairing of Douer hauen. 6 For euerie Ship, Veſſell, or Crayer, whereof any of the Qu. Subiects ſhall bee owners, or part owners, of the burden of 40. Tunnes or vpward, loading, or diſcharging within this Realme, and paſſing to or from any forreine countrey, during 7. yeares, there ſhall be paid for euerie ſuch voyage by the Maſter or owner of ſuch Ship &c. 4. d. for euerie Tunne of burden of ſuch Ship &c. (except veſſels laden with Sea coales or Grindſtones) towards the repaire of Douer Hauen: And for euerie Chaldron of Sea coals or Grindſtone 1. d. ob. EP. 31. Eliz. 13. 35. Eliz. 7. 43. Eliz. 9. 1. Iac. 32.

Salt fiſh. Herrings. 7 It ſhall not be lawfull to any Engliſh man, or woman, or Denizen, to go, or ſend into any other forreine countrey, for the buying or bringing into this Realme any ſalted fiſh, or ſalted Herring, nor to make agreement with any Stranger, or other, for ſuch bringing of Salted Fiſh, &c. And no ſalted Fiſh, or &c. ſhalbe brought hither out of any forreine dominion, but by the owners thereof being Aliens, without the procurement of any of the Q. ſubiects. EP. 39. Eliz. 10. 33. H. 8. 2. 27. Eliz. 15 13. Eliz. 11.

Waxe. Hony. 8 The penaltie for vſing deceit by mixture, in melting of Waxe. Euery Melter of waxe ſhall haue a marke, and ſhall vſe good ſtuffe. The contents of euerie Veſſell of Hony to be ſold: And the ſame to be marked. AB. Waxe &c. 1. &c.

Dying of cloth 9 Logwood and Blockwood ſhall not bee vſed in dying, but ſhall bee burned. No Cloth ſhall bee mathered for blacke, except it bee firſt grounded with Woad. A Dier ſhall fixe a Seale of Lead to his Cloth. AB. Dyers 1. 3 4. 39. Eliz. 11. 24. H. 8. 2.

Feſants, &c. Hawking. 10 The penaltie for deſtroying of Pheſants, or Partridges in the night, and for hawking in eared or codded corne growing. AB. Feſants 2. 11. H. 7. 17. 1. Iac. 27.

Cardiffe Bridge. 11 The Countie of Glamorgan in Southwales, and the Towne of Cardiffe therein ſtanding neere vnto the Riuer of Taffe, ſhall ioyntly proceed together to the reedifying of the Bridge there, viz. the Countie ſhall alwayes beſtow fiue parts of the charges, and the Towne of Cardiffe one part. And ſo for euerie 5. l. payable by the Countie, the towne of Cardiffe and the liberties ſhall ſtand charged with 12. s. and ſo from time to time, for the maintaining of the ſaid Bridge, ſhal defray all ſuch charges as ſhal be neceſſarie in like proportion. HR.

Pauing without Algate. 12 An addition to the Statute of 13. El. 23. touching the pauing of a ſtreet without Algate in the Suburbs of London, leading to the Queenes Storehouſe of the Minories, towards the Tower of London, and other places neere thereunto. Euerie perſon that hath any lands adioyning to the North ſide of Hogge lane, ſhall ſcoure and keepe ſcoured and cleanſed the ditch there againſt the ſaid lands, vpon paine to forfeit to the Q. vj. s. viij. d. for euerie Rodde not cleanſed. HR.

Plumſtead Marſh. 13 A continuance for two yeares, of certain Statutes not in print, made ann. 5. 8. & 14. Eliz. Touching the Inning, and fencing of Earith, Liſnes, and Plumſtead Marſh, in the Countie of Kent. And ſome further benefits granted to the Inners. HR.

Subſidie. 14 A confirmation of a Subſidie of vj. s. in the pound graunted to the Queene

Quæne by the Clergie, to be paid in iij. yeares. EXP.

15 A graunt of a Subſidie and two fiftænes to the Qu. by the Temporalty, EXP. Subſidie.

16 A confirmation of the Quænes generall and frę Pardon: Except &c. EXP. Pardon.

Statutes made at the Parliament begun at Weſtminſter *23. die Nouembris, Anno 27. Reg. Eliz. & Anno Domini 1585.*

¶ 1 Foure and twentie perſons at the leaſt, whereof part of the Quænes Priuie Counſell, & the reſidue being Pæres of the Realme, by the Qu. Commiſſion, ſhall examine the offences of ſuch as ſhall make any open inuaſion, or rebellion within this Realme, or attempt hurt to the Q. perſon, by, or for any pretending Title to the Crowne: Who after Judgement giuen, and publiſhed by Proclamation, ſhall be diſabled to haue, or pretend title to the Crown. And thereupon euery ſuch perſon ſhall be purſued to death, by all the Q. Subiects, by whom, or whoſe meanes, aſſent, or priuitie, any ſuch Rebellion ſhall be denounced to be made, or other thing attempted, compaſſed, or imagined againſt the Quænes perſon. If any act ſhall bæ executed, whereby the Qu. life ſhall bæ ihortened: the offendors ſhall be proſecuted to death, and diſabled to pretend title to the Crowne. The meaning of the aſſociation was to the effect aforeſaid. EXP. Hurt to the Q. perſon. Inuaſion. Aſſociation.

2 All Jeſuites and Prieſts that bæ in England ſhall depart. And none ſhall come into the Realme. The penaltie for relieuing them. They which be in Seminaries, ſhall vpon warning by Proclamation returne into England. The penaltie for ſending reliefe to them, or to any Jeſuite or Prieſt. 1. Iac. 4. 3. Iac. 5. None ſhall ſend his Childe beyond the Sea without licence. AB. Ieſuites 1. &c. Jeſuites. Prieſts.

1. Iacob. 25. 3 An explanation of the Stat. of 13. Eliz. 4. ordained to make the landes and goods of Fellors, Receiuors, &c. lyable to the payment of the Quænes debts. AB. Accomptants &c. 42. &c. Accomptants to the King.

4 Fraudulent conueyances to defeat purchaſors ſhall be void. The penaltie of thoſe which do iuſtifie them. Aſſurances with condition of reuocation ſhall not preiudice the purchaſor. AB. Fraudulent &c. 4. The contents of Statutes Marchant, and of the Staple, ſhall be entred in the office of the Clerke of Recogniſances. AB. Statutes 15. &c. 39. Eliz. 18. Fraudulent aſſurances. Statutes marchant.

5 After demurrer ioyned and entred, Judgement ſhall be giuen, notwithſtanding any defect in proces or pleading. What defects in forme ſhall be amended by the Court, and what not. AB. Demurrer 1. &c. Demurrer.

6 The forme of a Venire facias, where each Iurour muſt diſpende foure pounds of Fræhold. What iſſues ſhall bæ returned vpon euerie perſon impanelled. The penaltie of the Shirife which retourneth one ſummoned, that is not: Or for taking a reward to ſpare the retourning of a Iurour. Two Hundredors ſhall be ſufficient in a perſonall action. AB. Iurors 19. 20. 21. 22. 35. H. 8. 6. 2. Ed. 6. 32. Iurors.

7 No Iuror ſhall be returned without addition of his dwelling place. In euerie Extract of Iſſues againſt a Iuror, his addition ſhall be put: And no iſſues ſhall be gathered but of him. AB. Iurors 33. 34. 39. Eliz. 19. Iurors.

8 Judgements in certaine perſonall Actions giuen in the Kings Bench, may vpon a writ of Errour ſued, be examined, & affirmed, or reuerſed by the Juſtices of the Common Plæs, and Barons of the Exchequer. And the 31. Eliz. 1. Errors.

same Iudgement may bée againe examined in Parliament. AB. Errour 3. 4.

Fines. Wales. 9 There may be inrolment of fines acknowledged, or recouerie suffered of lands in the twelue Shires in Wales, the Towne and Countie of Hauerford west, and the Counties Palantine of Lancaster, Chester, and Durelme. For what Errours fines and recoueries there, are not reuersable. And in what cases Writs of Error shall be allowed. AB. Fines 31. &c. 23. Eliz. 3.

Informers. 10 The Stat. of 18. Eliz. 5. Touching Informers vpon penall Statutes, made perpetuall. AB. Actions p. 3. &c.

11 Certaine Stat. made in the raignes of K. H. 8. K. Ed. 6. and Q. El. reuiued, and made to continue vntill the end of the nert Parliament. EXP.

Fish dayes. A repeale of so much of the Stat. of 5. El. 5. as concerneth the eating of fish, and restreineth the eating of flesh vpon the Wednesday. Sea fish may bee sold any day in the wéeke, sauing Sunday. Victualers shall vtter no flesh in Lent, nor vpon Fridayes or Saturdayes, EXP. 35. Eliz. 7.

Undershirife. 12 Two othes shall be taken by euerie Undershirife. And the Baylifes of Franchises, Shirifes Clerkes, and Deputies, shall take the same othes. AB. Shirifes 32. 33.

Fresh suit. 13 The inhabitants of the Hundred where fresh suit shall cease, shall bée chargeable with halfe the damages recouered against the Hundred where the Robberie is committed. And the suit shall be commenced by the Clerke of the peace. A remedie for those against whom recouery and execution shall be had, to haue contribution of the residue of the Hundred. Huy and cry shall be made by horsemen and footmen. AB. Huy &c. 2. &c. 13. E. 1. 1. 2. 28. Ed. 3. 11. 39. Eliz. 25.

Huy & cry.

Mault. 14 A reuiuer of the Stat. of 2. & 3. E. 6. 10. Touching the true making of Mault. AB. Mault 1. &c. 1. Iacob. 25.

Sea fish. 16 It shall be lawfull to any of the Q. subiects to bring into this Realme from the parts beyond the sea in English ships, or craiers, being sailed by English Mariners with crosse sails, Herrings, Staple fish, and Ling fish, for seruing of the North parts, paying the Quéns custome & Subsidy for the same: So as none of the said fish bée shipped from any of those North parts, into any place of England, South, or Southwest from Boston, Any Statute or Prouiso notwithstanding &c. But this shall not be preiudiciall to the Towne or Burgesses of Berwick. EXP. 5. Eliz. 5. 13. Eliz. 11. 23. Eliz. 7.

Leather. 16 It shall not bée lawfull to any person (Sauing to a Tanner, his executors, administrators, or Legatories, or to them to whom tanned Leather shal be forfeited) to sell, or put away any tanned Leather, vnwrought, not conuerted into made wares. EXP.

Cloth. 17 Of what length, breadth, and weight narrow lifted Whites, and broad lifted Whites, made in the Counties of Glouceſter, Wiltshire, and Somerset, and elsewhere of like making shall bée. And the penalties for the want thereof. AB. Draperie 12. 28. S. 43. Elizab. 10. part of this Statute repealed. 35. Eliz. 7.

Cloth. 18 A repeale of part of the Statute of 5. Ed. 6. 6. and of the whole Statute of 7. Edw. 6. 9. restraining the putting of haire, flockes, or lambs woll, into plaine white Straites, and pinned white Straites, made in Deuon and Cornewall. What may bée put into the said Clothes made in Deuon and Cornewall. Of what length, breadth, and weight the said Clothes shal bée. How many Lomes euerie workeman may keepe in his house. AB. Draperie 57. 43. Eliz. 10.

Iron Mills. 19 No new Iron Milles shall bée made in Suſſer, Surrey, or Kent. No good Timber shall bée consumed by the making of Iron. AB. Iron 7. 8. 1. Eliz. 15. 23. Eliz. 5.

A remedie for the repaire of high wayes in Suſſex, Surrey, and Kent, Mr. 39. Eliz. 19.

20 It ſhall bee lawfull to the Maior and Comminaltie of Plimmouth, in the countie of Deuon, and their ſucceſſours, to digge and mine a trench, or ditch, containing in breadth betwixt ſixe or ſeuen foote ouer in all places, through all the groundes, lying betweene the Towne of Plimmouth, and any part of the Riuer of Mew, for the neceſſarie conueying of the ſaid Riuer to the ſaid Towne, and to do reparations, and make all things neceſſarie, whereby the ſaid Riuer may bee brought, and continue vnto the ſaid towne, without the let of any perſon: The ſaid Maior and Comminaltie paying to the owners and farmors of the ſaid grounds, the value of the ground ſo digged, to bee aſſeſſed by two Juſtices of Aſſiſe. But the ſaid Riuer ſhall not bee conueyed through any perſons Houſe, Orchard, or Garden, nor to the hinderance of the water courſe of any Mill, without the owners conſent. Mr. Plimmouth riuer.

4. H. 7. 21. 21 Of what maſh euerie Net ſhall be, that ſhall be ſet in Orford Hauen in the countie of Suffolke. AB. Hauens 3. Orford Hauen.

22 It ſhall bee lawfull to the Maior and Citizens of the Citie of Chicheſter, in the countie of Suſſex, their ſucceſſours and aſſignes at any time hereafter to lay out ſo much ground, in ſuch places as they ſhall thinke moſt meete for that purpoſe, for the making of a new channell, from ſuch place of the Hauen of the ſaid citie, vnto the Suburbes thereof, betweene the Dell Key there, and a place called Fiſhborne, and of ſuch length and breadth, thorough out, as to them ſhall ſeeme neceſſarie, for the conueying the water along the channell vnto the ſaid Suburbes: And alſo to enter into any lands within halfe a mile of the ſaid new channell, where any Brookes, Waters, Streames, or Springs ſhal be, and to aſſigne and lay out ſuch quantitie thereof, as ſhall bee conuenient to bring the ſame Brookes, &c. into the ſaid channell, Mr. Chicheſter Hauen.

1. Eliz. 14. 23 What perſons dwelling in Borſtead and Langham in the countie of Eſſex may make, weaue, or row woollen clothes there: Notwithſtanding the Stat. 4. & 5. P. & M. 5. AB. Draperie 79. Cloth.

1. Iacob. 25 24 The Juſtices of peace within the Countie of Norfolke, ſhall take order for the repaire of Sea banks, and Sea workes within the ſame Countie. AB. Highwayes 4. Sea bankes in Norfolke.

9. H. 5. 12. 18. Eliz. 16. 25 As often as the Rents or profits belonging to Rocheſter Bridge in Kent, ſhall not bee ſufficient to beare the charge of the reparation thereof, the two Wardens and more part of the twelue aſſiſtants, ſhall tare all the contributorie lands, rating euerie Parith where thoſe landes bee proportionablie at ſuch ſumme of money, to be paid in ſuch manner, as by the ſaid Wardens &c. ſhall be appointed in writing, vnder their hands and Seales: for the which any perſon by them aſſigned may diſtrayne, and ſell the Diſtreſſe. At the yearely election of the ſaid two Wardens and aſſiſtants, two Houſholders at the leaſt ſhall bee preſent of euery Parith within ſeuen miles of the ſaid Bridge, wherein any contributorie lands doe lye, to giue their voyces at the ſame election. Rocheſter Bridge.

26 It ſhall bee lawfull for vj. v. iiij. or iij. Juſtices of Peace inhabiting within vij. miles of Middleton in the Countie of Kent, to tare vpon the groundes lying without the Ile of Sheppey, and within iij. myles diſtant from Kings Ferrie there, ſuch aſſeſſements towards the repaire of the high way leading from Middleton to Kings Ferrie, as to them ſhall ſeeme reaſonable, though the owners or occupiers of the ſaid groundes be dwelling in The way to Kings Ferrie

without the ſaid compaſſe of foure miles: So as for euerie yeare no acre of freſh marſh be rated aboue a penie, nor tenne acres of ſalt marſh aboue a peny. Notwithſtanding the Statute of 18. Eliz. 9. HR.

Plumſted Marſh. 27 Libertie continued to certaine perſons, for ſixe yeares, for the inning of Earith, Liſnes, and Plumſteed Marſhes, in the Countie of Kent. The moitie of all the lands ſo to be recouered and inned, allowed to the Inners and their heirs, in reſpect of their charges: and alſo the eight part of the other moitie. They ſhall hold it of the Queene as of the Manour of Eaſt Greenewiche in Socage, by fealtie, paying a penie an acre yearely: and ſhall pay no tithe for vij. yeares. HR.

Subſidie. 28 A confirmation of a Subſidie of vj. s. in the pound, graunted to the Qu. by the clergie, to be paid in ij. yeares HP.

Subſidie. 29 One entier Subſidie, and two fifteenes, graunted to the Queen by the temporaltie. HP.

Pardon. 30 The Queenes generall and free pardon confirmed by Parliament, except &c.

Statutes made at the Seſsion of Parliament holden by prorogation at Weſtminſter 29. die Octobris, Anno 28. Eliz. & anno Dom. 1587. Or according to the printed booke 15. die Febr. An. 29. Eliz.

Attainder of Treaſon. ¶ 1 A Confirmation of the lawfull, and iuſt conuictions, and attainders of Thomas Lord Paget, F. E, C. P, F. M, W. S, A. B, M. S, Ed. J, C. A, C. M, C. M, R. B, J. C, and J. M, lately attainted of high treaſon by Outlarie, Verdict, or confeſſion. And they ſhall forfeit to the Q. all their manors, lands, offices, rights, conditions, and hereditaments. HR.

Attainder reuerſed. 2 No Record of attainder of Treaſon ſhall be reuerſed, where the partie attainted is executed for the ſame. AB. Treaſon 15.

Aſſurances by Rebels. 3 Euerie perſon which hath, or claymeth to haue any eſtate of inheritance, leaſe, or rent, not alreadie entered of record, or certified in the Exchequer, of, in, to, or out of, any manors, lands, or hereditaments, by or vnder any graunt, or aſſurance whatſoeuer, made ſithence the beginning of the Queenes raigne, by any of the perſons attainted for matter tending to the hurt, death, or deſtruction of the Queene, or to any actuall Rebellion, or Inuaſion, or for being adherent, or giuing aide, or comfort to any of the Qu. enemies, ſithence the eight day of Februarie, in the eighteenth yere of the Q. raigne, ſhall within two yeares after the end of this Seſſion of Parliament openly ſhew forth the ſame in the Exchequer: And there in Terme time in open Court exhibite the ſame aſſurance, (Or vpon his oath affirming, that he hath not, nor can come by the ſame, or that it was neuer put in writing) Then the effect thereof in writing to be entered, and inrolled of record: Or elſe euerie ſuch aſſurance ſhall bee void to all intents. Et ſic, vt ſupra. 18. Eliz. 4. HR.

Shiriſes. Execution. 4 How much any Shiriſe or his officer may take for the ſeruing of an execution, and the penaltie if he take more. AB. Shiriſes 35.

Statutes continued. 5 The Statute of 5. Eliz. 9. touching Periurie, and of 13. Eliz. 5. concerning fraudulent Deedes, and of 5. Eliz. 13. touching repaire of High wayes, made perpetuall, And certaine other Statutes made in the raignes of King H. 8. K. Ed. 6. & Q. Eliz. continued vntill the end of the next Parliament. HP.

In

31.Eliz.10. In what caſe the defendant in a ſuit vpon a penall law may appeare by Atturney. AB. Atturney 14. — Atturney.

23.Eliz.1. 35.El.1.&2 1.Iac.4. 3.Iac.4.5 6 Certaine aſſurances made by Recuſants of their lands, ſhall be void againſt the Quéene. In what courts conuiction of Recuſancie ſhall be. At what time, and in what place Recuſants ſhall pay their money forfeited: and the penaltie if they pay not the ſame at the time and place prefixed. Indictment of a Recuſant, and Proclamation thereof. A Recuſants ſubmiſſion. AB. Recuſants 8. &c. — Recuſants.

7 A Subſidie of vj.s. in the pound graunted to the Quéene by the Clergy, to be paied in iij. yeares. EXP. — Subſidie. Clergie.

8 A Subſedie and two Fiftéenes graunted to the Quéene by the Temporaltie. EXP. — Subſidie. Temporaltie.

9 A Confirmation of the Quénes generall and frée Pardon: Except &c. EXP. — Pardon.

Statutes made at the Seſsion of Parliament holden *at Weſtminſter 4. die Februarij, Anno 31. Eliz. & Anno Dom. 1589.*

¶ 1 The not comming of the L. Chancellor, and the L. Treaſurer, or of either of them at the day of Adiournment, in a writ of Error purſued according to the ſtat. of 31. Ed. 3. 12. ſhalbe no diſcontinuance of ſuch writ. Three of the Juſtices of the common place, & barons of the Exchequer may receiue writs of Error and award Proces, according to the ſtat. of 27. El. 8. Error ſued in Parliament. AB. Error 2. 5. 6. 7. — Error.

1.R.3.7. 4.H.7.24. 2 A fine leuied in the common place ſhalbe proclaimed only four times, viz. euery terme once of foure termes. AB. Fines 3. — Fines.

3 Three proclamations ſhalbe made in euery action perſonall, wherein any writ of Exigent ſhalbe awarded. The defendant vpon a writ of Error ſued ſhal be bound to anſwer the plaintife, and to ſatiſfie the condemnation. AB. Exigent 13. 14. A Proclamation ſhalbe made of the Summons in a reall action. AB. Proclamation 1. — Exigent. Proclamation

4 It ſhalbe felony to imbezell the Qu. ordnance, armour, or victuall, to the value of xx.s. prouided for ſouldiers &c. AB. Armour 3. Felonie 33. — Armour.

18.Eliz.5. 27.Eliz.10. 5 None ſhalbe Informers, which be reſtrained by order of any of the Qu. courts. In euery Information vpon any penall ſtatute, the County ſhalbe expreſſed where the offence was done (ſauing in certain caſes.) Suits vpon certaine ſtatutes ſhalbe onely proſecuted at the Qu. Seſſions, generall Aſſiſes, or in a Léet. AB. Actions &c. 8. &c. The ſtat. of 7. H. 8. 3. touching Informations vpon penall ſtat. repealed. — Informers. Informations

6 The ſeuerall penalties for taking a reward for giuing voice in election of a Fellow, Scholler, &c. in any Colledge, Hal, Societie, &c. Or for giuing or taking of money for reſigning a place in any ſuch Colledge: Or for preſenting or collating, or admitting to a Benefice for reward: Or for corrupt reſigning, or exchanging for a Benefice: Or for taking of rewards of a Miniſter, or for giuing Orders, or licence to preach. AB. Eccleſiaſticall 1. &c. — Wiberie in Colledges. Simonie.

35.Eliz.6. 7 The ſeuerall penalties for building, or maintaining of a cottage, without laying of foure acres of land to it. The penalty for placing, or ſuffering of an inmate. AB. Cottages 1. &c. — Cottages. Inmates.

1.Iacob.25 8 Veſſels brought from beyond the ſea for Ale, or Béere, into London, or within two myles compaſſe ſhall be gauged. What ſhall be taken for the gauging — Gauging of veſſels.

gauging of them. AB. Coopers 4. &c.

Exigent in Durham. 9 A writ of Proclamation shalbe directed to the Bishop of Durham, vpon an Exigent awarded against any person dwelling in that Bishoprick. The penalty if he do not returne it. The Bishop of Durham shall haue a deputy in the K. Bench, and the common place. Writs against outlawed persons in the said Bishoprick, shall be directed to the Bishop there, or his Chauncellor. AB. Exigent 15. &c.

Atturnies. 10 Certaine Statutes made in the raignes of K. H. 8. K. Ed. 6. and Q. Eliz. continued vntill the end of the next Parliament. EXP. The Statute of 29. Eliz. 5. touching making of Atturnies in suites, vpon penall lawes, shall extend onely to naturall borne Subiects, or free Denizens. AB. Atturnies 14.

Restitution. Force. 11 There shall be no restitution vpon an Inditement of forcible entry, or withholding with force, where the defendant hath bene three yeares in quiet possession, and his estate not ended. AB. Force 4. 8. H. 6.

Sale of horses 12 That person which selleth a horse in a faire or market, must be known to the toll taker, or some other, who will auouch the sale, which shalbe entred into the toll booke. The owner may redeeme his stollen horse within vj. moneths, paying the price. All accessories to horse-stealers shalbe put from their Clergie. AB. Faires &c. 7. 8. 2. & 3. P. & M. 7.

Douer hauen. 13 The statute of 23. El. 6. touching the repaire of Douer hauen, shalbe reuiued, and continued during vj. yeares. Euery Customer and Officer shal be answerable for the wilfull default and negligence of his deputy, so farre as by the same statute he was for his owne. EXP.

Statutes made at the Parliament holden at Westminster 19. die Februarij, Anno 35. Reg. Eliz. & Anno Dom. 1593.

Recusants. ¶ 1 The punishment of that person, which obstinately refusing to come to the church, shall persuade other to impugne the Q. authority in causes Ecclesiastical. Which offendor not conforming himselfe, shall abiure the Realme. The penalty of an offendor refusing to abiure, not departing the Realm, or returning without licence. An offendors submission: his relapse: The penalty for keeping a Recusant in his house after warning, certaine persons excepted. AB. Recusants 18. &c. 3. Iac. 4.

Recusants. 2 The penaltie if a conuicted Popish Recusant do remoue aboue v. myles from his house. Where a Recusant hauing no house shall make his abode: and that he shall notifie to the minister &c. In what case a Recusant shall forfeit his copihold land. A Recusant of smal ability shal abiure the Realme: The penalty if he refuse to abiure, do not depart, or returne without licence. A Recusant restrained, may trauell by licence, or yeld his body to the Sherife. A Recusants submission: his relapse. How farre married women shall be bound. AB. Recusants 28. &c. 23. Eliz. 1. 29. Eliz. 6. 1. Iac. 4. 3. Iac. 4.

Abbey lands. 3 All Abbey lands which came to the possession of King Henry the eight, or were put in charge in any court, or by any officer for him, or were graunted by him to any person or persons, bodie politicke, or corporate, shall be adiudged to haue bene in the actuall and lawfull possession of the said King, his heires &c. The Letters Patents of King Henry the eight, for the foundation of any Deane and Chapter, or Colledge, shal be reputed good. AB. Patents 18. 19.

L. Patents.

4 Euery parish shalbe charged with a summe wækely, towards the relieſe of ſicke, hurt, and maimed ſouldiers and mariners. EP. 43. El. 3. — Souldiers. Mariners.

5 A confirmation of the attainders of Sir Francis Englefield, that went forth of the Realme Añ 1. Eliz. by the Q. licence, and was attainted of high treaſon, as well by the ſtatute of 29. El. 1. as by the common law. His lands eſtabliſhed to be in the Quæne, her heires, ſucceſſors, or aſſignes. The Qu. ſhall take the aduantage of reuocating of an aſſurance with a condition, made by him, vpon the tender of a Ring of gold. ER. — Francis Engleſield.

31. Eliz. 7.

6 No new buildings ſhalbe erected within 3. myles of London, or Weſtminſter. One dwelling houſe in London, Weſtminſter, or 3. miles therof, ſhall not be conuerted into more. No Inmates, or vnderſitters ſhalbe in the places aforeſaid. Commons or waſt grounds lying within 3. myles of London ſhall not be incloſed. A mile ſhall containe 5. furlongs, euery furlong 40. poles, and euery pole ſhall containe 60. foot and a halfe. EP. — Newbuilding by London. A Mile.

7 Seuerall ſtatutes made in the raignes of King H. 8. King Edw. 6. and Quæne Eliz. reuiued and continued vntill the end of the next Parliament. EP. A Repeale of part of the ſtatute of 5. Eliz. 2. concerning Tillage: Of the whole ſtatute of 24. H. 8. 4. and of ſo much of the ſtatute of 5. Eliz. 5. as concerneth the ſowing of Hempe and Flaxe. Euery perſon eating fleſh vpon fiſh daies, ſhall forfeit only 11. s. and he in whoſe houſe it is eaten, iij. s. iij. d. AB. Fiſh daies 1. Of what prices ſeuerall ſorts of corne ſhal be, when they may be tranſported. AL. 1. Iacob. 25. A Repeale of ſo much of the ſtatute of 14. Eliz. 5. and 18. Eliz. 3. as concerneth the puniſhment of Vagabonds by gawling, boring through the eare, and death for the ſecond offence. No perſon dwelling within fiue myles of Orford ſhalbe charged with the repaire of bridges and high waies there, according to the ſtatute of 18. Eliz. 19. vnleſſe he hath in poſſeſſion one yard land: And then hee ſhall pay for euery yard land yearely but iij. d. before Pentecoſt, to the Vice-Chauncellor, and Mayor, or their Deputie, towards the ſaid repayre, and no other penaltie. During twentie yeares lands may bee giuen for the maintenance of any houſe of correction, or of poore peoples ſtockes, without licence of Mortmaine. AB. Mortmaine 10. Certaine ſhippes and veſſels paſſing from port to port within this Realme, diſcharged of payment of iij. d. a Tunne towards the repaire of Douer Hauen, graunted by the ſtatute of 23. Eliz. 6. The ſtatute of 27. Eliz. 17. touching the breadth of white Clothes made in the Counties of Glouceſter, Somerſet, and Wiltſhire, made perpetuall. AB. Draperie 12. 28.

5. Eliz. 5. — Tillage. Hempe. Fiſhdaies. Corne. Vagabonds. Highwaies neere Orford. 18. Eliz. 3. — Douer hauen. 43. Eliz. 10. — Cloth.

8 The ſeuerall penalties for making of Cables of old ſtuffe, being aboue or vnder vij. ynches in compaſſe. AB. Cables 3. 4. — Cables.

9 Of what length, breadth, and weight, Plunkets, Azures, Blews, or other coloured Clothes made in Wiltſhire, Glouceſter, or Somerſetſhire ſhalbe, and the penalties for default thereof. AB. Draperie 13. 27. S. 43. El. 10. part of this ſtatute repealed. — Cloth. 27. El. 17.

10 The weight and length of a Deuonſhire Kerſie raw, and of a Rudge wath Kerſie. A weauer ſhal weaue his ſhoppe marke, and a Purrell at the end of euery of the ſaid Kerſies. Dozens ſhal be viewed, weighed, and marked, before they be put to ſale. Searchers of Deuonſhire Kerſies, and their authoritie. A dozen ſhall not bee cut, and after put to ſale as whole. AB. Draperie 104. &c. — Deuonſhire Kerſie. 1. Iac. 25.

11 A quantity of Clapboord ſhalbe brought into this realme for beere, or fiſh tranſported. Wine Caſke ſhal not be tranſported, but for certain purpoſes. AB. Clapbord 1. &c. — Clapboord. 1. Iac. 25. 3. Iac. 11.

12 A

Subsidie. 12 A confirmation of two Subsidies of iiij.s. in the pound, to be paid in two yeeres, graunted to the Quæne by the Clergie. EXP.

Subsidie. 13 A confirmation of three Subsidie, and six Fifteenes and Tenths graunted to the Quæne by the Temporaltie. EXP.

Pardon. 14 A confirmation of the Quænes generall and free Pardon: Except &c. EXP.

Statutes made at the Parliament begun at Westminster 24. die Octobris, Anno 39. Reg. Eliz. & Anno Dom. 1597.

Husbandry. ¶ 1 A Repeale of the statute of 4. H. 7. 19. and of all other statutes ordeined against the destruction of townes, and houses of husbandry. The penaltie for decaying houses of husbandry, sithence the beginning of the Raigne, viz. before seuen yeres, or within seuen yeres. The duty of the heire, executor, administrator, successor, or assigne of an offendor, & of the purchasor. Within what time building or repaire of the said houses shalbe made. Houses of husbandry shalbe kept in repaire. A gentleman may take into his hands six score acres of land, or two houses. AB. Husbandry 2. &c. 1. Iac. 25.

Tillage. 2 Arable land which hath beene made pasture, sithence the beginning of the Raigne, shalbe againe conuerted to tillage, that which is arable shal not be conuerted into pasture, or wood, but in some cases. The conuersion of tillage into pasture shalbe no cause of breach of any couenant, bond, &c. AB. Husbandry 18. &c. 1. Iac. 25.

Poore. 3 Who shalbe ouerseers of the poore: by whom & whē they shalbe appointed: their office, and duty: their account: their forfeitures &c. EXP. 43. Eliz. 2.

Vagabond. 4 A repeale of all former statutes made for the punishment of vagabonds & sturdy beggers, and for the erection or maintenance of houses of correction. The Iustices of Peace of euery County shal set downe orders for the erection, and maintenance of houses of correction. Who shalbe accounted Vagabonds. The punishment of a dangerous Vagabond. The forfeiture for not apprehending a Vagabond. The penalty for bringing into this Realme of Irish, Scottish, or Paniske Vagabonds. Commissions shalbe awarded to inquire of money gathered for houses of correction, or stockes for the poore. AB. Vagabonds 1. &c. 22. H. 8. 12. 27. H. 8. 25. 11. H. 7. 2. 14. Eliz. 5. 18. Eliz. 3.

Hospitals. 5 It shalbe lawful for any person to erect an Hospital, or house of correction, which may purchase and enioy any goods and freehold lands, not exceeding the yearely value of CC. l. &c. AB. Hospitals &c.

Charitable vses. 6 Commissions may be awarded to certaine persons to inquire of lands or goods giuen to Hospitals, or other charitable vses, misimploied & reform them. EXP. 43. El. 9. Sauing for the execution of orders & decrees before made by Commissioners, according to this statute. 43. Eliz. 4.

The Qu. Debtors. 7 The Quæne may sell her accomptant or debtors lands in his life time, & after his death. To which accomptants onely his statute doth extend. There shalbe no sale of land, where the debtor hath a Quietus est. If the Q. be satisfied, the sureties shal be discharged. What proces shal be awarded where ỳ debt doth grow in the Court of Wards, or Dutchie. Proces against the true tenant before the sale of his land. EXP. 27. El. 3. 1. Iac. 25.

Bishops. 8 Euery deprination of any Bishop or Deane made in the beginning of the Raign, shalbe good. Archbishops, Bishops, and Deanes, made by the Q. shalbe adiudged lawfull. AB. Bishops 7. 8. 8. Eliz. 1.

9 He

3.H.7.2 9 He that taketh away a woman againſt her wil, that hath lands, or goods, or is heire apparant to her anceſtor, ſhal loſe the benefit of his Clergy. AB. Women 13. Women.

10 A Repeale of the ſtatute of 23.El.7. reſtraining Engliſhmen to goe or ſend into any forraine countrey for the buying and bringing into this Realme ſalted herring, or ſalted fiſh. The K. ſubiects may tranſport fiſh in ſhips with 1.Iac.25. troſſe ſailes. What cuſtomes Aliens ſhall pay for ſalted fiſh and herrings. Unwholſome fiſh after warning ſhalbe forfeited. AB. Fiſh 17. &c. Ordinances of companies to reſtraine taking, buying, or ſelling of fiſh, ſhall be void. EP. 43. Eliz 9. Fiſh.

23.Eliz.9. 11 The penalty for miring, or vſing of Logwood in Dying of Cloth with woad, or other ſtuffe. AB. Dying 2. Dying of cloth.

5.Eliz.4. 12 What workemen or labourers wages J. of Peace may aſſeſſe. The rating of wages where J. of peace of one county do keep Seſſions in ſeueral diuiſions of the ſame. There ſhalbe proclamations of the rates of wages made by the J. of Peace. AB. I of Peace 66. Labourers wages.

11.H.7.27. 13 The L. Maior of London, and the Maſter & Wardens of Cloth workers there, or their aſſignes, may ſearch all perſons occupying the broad ſheare. AB. Fuſtians 2. Fuſtians.

1.Iac.25. 14 No Cardes for Woll ſhall be brought into this Realme to be ſold. AB. Cards 1. Cardes.

15 He ſhal not haue his Clergy which robbeth a houſe in the day time, of the value of v.s. AB. Clergie 13. Clergie.

1.Iac.25. 16 Juſtices of Peace in Counties, and Maiors and other officers in cities and townes corporate, may reſtraine exceſſiue making of Mault. AB. Mault 6. &c. Mault.

1.Iac.25. 17 Wandering Mariners, Souldiers, and other idle perſons, ſhall ſettle themſelues to worke. They ſhall haue Teſtimonials. The puniſhment for counterfeiting teſtimonials. The reliefe of Souldiers and Mariners. AB. Mariners 4. &c. Mariners.

18 The ſtatute of 13.El.8. prouided againſt vſurie, 27.El.4. againſt fraudulent aſſurances, and of 27.El.7. for the leuying of iſſues loſt by Iurors, made perpetuall. Seuerall other ſtatutes made in the raignes of K.H.8. K.Edw.6. and Qu. Eliz. reuiued, and made to continue vntill the end of the nert Parliament. EP. A repeale of the ſtatute of 13.Eliz.19. touching the wearing of cappes. Vſurie. Fraud. Iſſues. Caps.

19 A repeale of ſo much of the ſtatute of 27.El.19. as concerneth the amendment of High waies in Suſſex, Surrey, and Kent. Another ordinance made for the repaire of waies in the Wields of Suſſex, Surrey, and Kent, vſed for yron workes. AB. Highwaies 19. &c. waies.

43.Eliz.10. 5.E.6.6. 20 No perſõ ſhal ſtretch or ſtrain any cloth made on the North ſide of Trent, nor ſhal vſe any tento or other engines to ſtretch or ſtraine clothes. The owner ſhall ſet his ſeale of lead vnto his clothes, before they be put to ſale, containing the length & weight thereof. Overſeers ſhalbe appointed, who ſhall ſearch and try the ſaid clothes, & fixe a ſeale thereunto. Juſtices of P. head conſtables, and ouerſeers may ſearch for tentors, ropes, wrenches, &c. Northerne cloth brought to London may be ſearched there. AB. Draperie 112. &c. Cloth.

21 A further taxation ſhal be made for the reliefe of ſicke and maimed ſouldiers & mariners, where ſufficient was not prouided by the ſtatute of 35.Eli.4. EP. 43.El.3. Souldiers. Mariners.

22 The eſtabliſhment of the Biſhopricke of Norwich, and the poſſeſſions of the ſame, againſt a pretended concealed title made thereunto, by colour of Biſhopricke of Norwich.

of a graunt in fée farme made by the Quéene, by her letters patents dated 2. Auguſti Anno 27. of her raigne, to certaine perſons, vnder the name of a Cottage, and all Lands, Tithes, &c. within the Deanries of Flegge Bꝛoke &c. in the County of Noꝛfolke, to the late Monaſtery of S. Benets of Hulme belonging, at oꝛ vnder the yéerely rent of xl.s. Which Monaſterie, with the poſſeſſions thereof by a ſtatute made Ann. 27. H. 8. were vnited to the Biſhopꝛicke of Noꝛwich. HR.

Newpoꝛt and Carlion Bꝛidges.

23 The Inhabitants of the Countie of Monmoth ſhall foꝛ euer ſtand chargeable foꝛ the maintenance, amending, and new making of the Bꝛidges of Newpoꝛt and Carlion, ouer the riuer of Uſke in the ſaid County, and either of them as oft as néed ſhall require. And ſuch oꝛder and direction ſhall be obſerued foꝛ the aſſeſſement, gathering, and imployment foꝛ the money thereupon to be ſpent, as is appointed by the ſtatute of 22. H. 8. 5. But no towne coꝛporate within the ſaid Countie ſhal be chargeable to be contributarie therunto, which is bound by any law to make oꝛ repayꝛe any Bꝛidge ouer any maine Riuer. HR.

Wilton bꝛidge.

24 A conuenient Bꝛidge of Stone, oꝛ Timber, oꝛ both, ſhalbe made and finiſhed at Wilton vpon Wye, in the Countie of Hereſoꝛd, nére vnto the Towne of Rolle, by the inhabitants of the ſaid County, in ſuch place there, as by the Juſtices of peace of the Countie ſhalbe appointed, within ſeuen yeares next after the diſſolution of this Parliament, being 9. die Februarij, Añ Dom. 1597. Pontage ſhalbe taken of the ſaid Bꝛidge in foꝛme following, and not otherwiſe, viz. euery perſon ſhall pay foꝛ euery Cart, Carre, oꝛ Waine loaden dꝛiuen ouer the ſaid Bꝛidge, ỹ. d. and foꝛ euery hoꝛſe loaden with a Packe, ſ. d. and foꝛ euery ten ſhéepe, oꝛ vpward to twenty, ỹ. d. and foꝛ euery twenty ſhéep, iỹ. d. and foꝛ fiue beaſts, to the number of twenty, ỹ. d. and foꝛ euery twenty beaſts vj. d. & ſo pꝛopoꝛtionably accoꝛding to that rate. Two Bourgeſſes of the towne of Rolle, & two Fréeholders of the Coũty of Hereſoꝛd ſhalbe yerely choſen collectoꝛs of the ſaid Pontage: to whom, oꝛ to their deputies, it ſhalbe lawfull to diſtraine, & impound any perſons beaſts, ſhéepe, &c. refuſing to pay the ſaid Pontage. And the ſaid collectoꝛs ſhall yérely pay to Charles Bridges, his heires, oꝛ aſſignes (vpon whoſe land the ſaid Bꝛidge ſhalbe builded) x.l. at the Feaſt of S. Michael. And the ſaid collectoꝛs ſhall yeerely make account of the pꝛofits of the ſaid Pontage. HR.

Weinherſhe hundꝛed.

25 A remedy foꝛ the inhabitants of the hundꝛed of Weinherſhe in the Coũty of Berks, foꝛ the recouery of ſuch ſummes of mony as ſhalbe obteined of them by foꝛce of the ſtatute of 27. El. 13. AB. Huy and cry 11. &c.

Subſidie.

26 A confirmation of thꝛée Subſidies of iiỹ. s. in the pound graunted to the Quæne by the Clergie. EXP.

Subſidies. Fifteenes.

27 A confirmation of a graunt made to the Qu. by the Tempoꝛalty of thꝛée entire Subſidies, and fiue Fifteenes and Tenthes. EXP.

Pardon.

28 A confirmation of the Qu. generall and fræ Pardon, except &c. EXP.

Statutes made at the Parliament begun at Weſtminſter 27. die Octobris, Anno 43. Reg. Eliz. & Anno Dom. 1601.

Confirmation of aſſurances.

¶ 1 A confirmation of the aſſurances made to oꝛ foꝛ the Quéene, of any lands &c. ſithence 8. die Februarij, Ann. 25. of her raigne: And likewiſe of all Letters Patents, and other wꝛitings made by the Quæne to any others, ſithence the ſaid 8. Februarij, oꝛ to bée made within one yére after the end of this 18. Eliz. 1.

this Parliament, notwithſtanding any miſnaming, miſrecitall, &c. To what letters patents this Statute doth extend, and to what not. AB. Patents 8. &c.

1.Iac.15. 39.Eliz.3. 2 The Churchwardens and certaine houſholders in euerie pariſh, ſhall be ouerſeers of the poore. Their office, ductie, and accompt. Building of houſes for the poore. Reliefe of the priſoners in the Kings Bench and Marſhalſie, and of the Hoſpitals. An ordinance for the Iſland of Fowlenes in Eſſex. AB. Poore 2. &c. The Poore.

1.Iac.25. 3 A repeale of the Statute of 35. Eliz. 4. & 39. Eliz. 21. concerning the reliefe of Souldiers and Mariners. Euerie pariſh ſhall be charged with a weekly contribution, towardes the reliefe of ſick, hurt, and maimed Souldiers, and Mariners. Who ſhall receiue the ſame, and pay it to the Mariner or Souldier. The puniſhment of a Mariner or Souldier taken begging, or counterfeiting a certificat. AB. Captaines 17. &c. Mariners. Souldiers.

39.Eliz.6. 4 Commiſſions may bee directed to certaine perſons, to inquire of the abuſe or miſimploiment of lands or goods giuen to hoſpitals, or other charitable vſes, and by their orders to reforme the ſame. AB. Hoſpitals 10. &c. Charitable vſes.

1.Iac.25. 5 At what time a writ to remoue a ſuit depending in the court of a towne corporate, ſhall be delinered to the Iudge or officer of the ſame Court. AB. Remouing &c. 3. Remouing a ſuit.

1.Iac.25. 6 The penaltie of a Sherife, or other, which ſhall make a warrant to ſummon or arreſt any perſon, not hauing before an originall proces. AB. Sherifes 36. Arreſt without warrant.

No coſts for the plaintife, where an action is brought for a ſumme not exceeding 11.s. AB. Dammages 16. Coſts of ſuit.

7 The puniſhment for cutting of corne growing, or of ſuch other ſmall offences. And the penaltie of a Conſtable being commaunded, to refuſe to puniſh ſuch an offendor. AB. Treſpas 1. &c. Small offeces

8 He that by colour of a fraudulent adminiſtration, taken in the name of another, doth receiue an Inteſtats goods, or debts, ſhall be for ſo much charged as Executor of his owne wrong. AB. Adminiſtrators 2. Fraudulent adminiſtration.

9 Seuerall Statutes made in the raignes of king Henry the eight, king Edward the firſt, and Queene Elizabeth, reuiued and made to continue vntill the ende of the firſt Seſſion of the next Parliament. Exp. A repeal of the ſtatute of 39. El. 6. made to reforme the breach of truſts of lands giuen to charitable vſes, ſauing of ſuch decrees as be made by Commiſſioners by force of the ſaid Statute. Breach of truſts.

1.Iac.32. There ſhall be paid towards the repaire of Douer hauen three pence a Tunne, but only for the marchandiſe wherewith a ſhip ſhall be laden, notwithſtanding the Statute of 23. Eliz. 6. A repeal of part of the ſtatute of 39. Eliz. 10. touching ordinances of Companies to reſtraine buying, taking, or ſelling of fiſh. Douer hauen

10 No deceiuable things ſhall bee put in woollen cloth. No deuiſe ſhall bee made to ſtretch woollen cloth in length, or breadth. The length and weight of wollen clothes made to be ſolde. The Statute ordained 39. Eliz. 20. for Northerne clothes, ſhall extende to clothes made in other countries. Cloth ſealed by ouerſeers ſhall not be ſearched againe. A repeale of ſo much of the Statute of 27. Eliz. 17. and 35. Eliz. 9. as concerneth the exceeding of the length of clothes, mentioned in the Statute of 5. Edward. 6. 6. and of ſo much of the Statute of 4. and 5. Phil. & Ma. 5. as toucheth Certificats of faultie cloth. A Marchaunt ſhall take no aduantage of a Clothier for any defect in Cloth tranſported, but in ſome caſes. AB. Draperie 122. &c. Cloth.

Approuements of Marishes.

11 A contract may be made betweene the Lords and Commoners of great Marishes in seuerall Counties, and those persons which shall vndertake to keepe them perpetually dry. The M. assent requisite, where she shall be owner of the soile. AB. Approuements 8.&c.

Policies of assurances.

12 Commissions shall be awarded to certaine persons to heare & determine policies of assurances among marchants. The Commissioners authoritie. A remedie for the partie grieued by the Commissioners decree. AB. Marchants 15.&c.

Rapines in Cumberland &c.

13 A remedie to represse the imprisoning, raunsoming, taking and carrying away of prisoners, spoiling of their goods vpon deadly fewd, giuing, or taking of blacke Maile, burning of barnes, or stackes of corne in Cumberland, Northumberland, Westmerland, & the Bishoprike of Duresme. And a meane to apprehend outlawes there. AB. Robberie 1.&c.

Fuell.

14 A repeal of the penaltie of the Statute of 7. Ed. 6. 7. ordained for the assise of fuell: And another forfeiture assigned. Of what compasse tall shides, billets, and fagots, shall be. AB. Fuell 1.&c.

Fines leuied in Chester.

15 Fines may be leuied before the Maior of Chester, of lands lying within the County of the city of Chester. And a Dedimus potestatem may be granted by the Maior of Chester to others, to receiue the acknowledgmẽt of a fine. Before whom such fines may be reuersed. AB. Fines 14.15.16. 2. Ed. 6. 28.

Edon bridge & Prestberke.

16 The Countie of Cumberland shall stand chargeable for the erecting, maintaining, repairing, and new making of Edon bridge, and Prestberke bridge, standing ouer the riuer of Edon, when, and as often as nede shall require: And for the assessement, rating, collection, and imploying of such works, and summes of money, as from time to time shall be nedefull for the building, and repairing of those bridges: such forme, and order shall bee obserued in all things, by, and through the said Countie, as is appointed by the statute of 22. H. 8. 5. ordained for the repaire of bridges. But the inhabitants of the Lordship of Myllam, shall not be chargeable with any contribution thereunto. HR.

Myllam.

Subsidies, Clergie.

17 A confirmation of foure Subsidies of iij. s. in the pound, graunted to the M. by the clergie. EXP.

Subsidies.

18 A graunt by the temporaltie to the M. of foure entier Subsidies, and eight fiftenes and tenthes. EXP.

Pardon.

19 A Confirmation by Parliament of the Queenes generall and free pardon, Except, &c. EXP.

Statutes

Statutes made at the Parliament begun at Weſtminſter 19. die Martij, Anno 1. Reg. Iacobi, & Anno Domini 1603.

1 A Recognition, that immediately vpon Qu. Elizabeths death, the Crowne of England, and all the dominions belonging to the ſame, did by inherent Birthright, and lawfull ſucceſſion, diſcend, and lineally, and lawfully come vnto our ſouereigne Lord King Iames, his progeny, and poſteritie for euer. Diſcent of the Crowne.

3.Iac.3. 2 An authoritie giuen to certaine commiſſioners, viz. to 14. Lords of the higher houſe, and to 30. Knights, Citizens, and Burgeſſes of the houſe of the Commons, to treat with certaine Commiſſioners of Scotland, before the next Seſſion of Parliament, for the weale of both kingdomes: which Commiſſioners ſhall reduce their proceedings therein to Inſtruments tripartite, & ſhall preſent the one to the King, the ſecond ſhall be offered to the conſideration of the Parliament of England, at the next Seſſion, and the third to the conſideration of the Parliament of Scotland. Engliſh and Scottiſh Commiſſioners.

3 All aſſurances to bee made to the king, by any Archbiſhop, or Biſhop, of any lands being parcell of the poſſeſſions of his Biſhoprick, ſhal be void. AB. Eccleſiaſticall 6. Biſhops aſſurances.

27.El.2. 23.Eliz 1. 29.Eliz.6 35.El.1.& 2. 1.Eliz.1. 5.Eliz.1. 4 All Statutes made in the raigne of Q. Elizabeth againſt Ieſuites, prieſts, &c. and thoſe which concerne the withdrawing the kings ſubiects from their obedience, and the Religion now profeſſed, and the taking of the othe of obedience to the king, and thoſe that were made againſt any maner of Recuſants ſhall be put in execution. A Recuſant conforming himſelfe, ſhall be diſcharged. In what caſe the heire of a Recuſant ſhall be charged for his auncetors offence, and in what not. The two parts of a Recuſants lands, and leaſes, forfeited to the king for default of paiment of xx.l. a moneth, ſhall goe toward the paiment of the ſayd xx.l. and the third part ſhall not be ſeiſed. The penaltie of a Schoolmaſter which ſhal teach in a Recuſants houſe, and of him that doth retaine him. AB. Recuſants 40. &c. The ſeuerall penalties for going, or ſending any other perſon forth of the Realme, to any Seminarie, to be inſtructed in the Popiſh religion, or beeing there not to returne: Or for any woman, or childe, vnder the age of xxj. yeares, to paſſe ouer the ſea without licence. AB. Ieſuits 14. &c. Prieſts. Recuſants.

3.Iac.5.

5 No Steward of any Leete, or Court Baron, ſhal take benefite to the value of twelue pence, by colour of the graunt of the profits of any ſuch Court. AB. Leetes 16. Stewards of Courts.

39.Eliz.12. 6 To which labourers, or artificers, the Statute prouided 5. Eliz. 4 for the rating of ſeruants wages ſhall extende. An ordinance for the rating of wages where the Iuſtices of peace doe keepe Seſſions in ſeuerall diuiſions. Proclaiming of the rates of wages. The penaltie of a clothier refuſing to obey the aſſeſſements of wages. A Prouiſo for a Clothier being a Iuſtice of peace. AB. I. of peace 66. Seruants wages.

7 No licence giuen by a Baron, or any of great degree, ſhall auaile players in Enterludes. Glaſſe men ſhall be puniſhed as rogues. A daungerous rogue ſhall be marked on the ſhoulder with a hot yron. Euerie perſon ſhal apprehend a rogue, and carrie him to the Conſtable or Tithingman, which ſhall puniſh him. AB. Vagabonds 2.4.5. Vagabonds.

8 The benefit of Clergie taken from that perſon, who ſhall ſtab an other Stabbing.

which hath no a weapon drawne. AB. Murder 7. 8. Clergie 2.

Alehouſe. 9 The penaltie for an Alehouſe-keeper to ſuffer any perſon to remaine tipling in his houſe. Penalties for ſelling Ale or Beere at too high prices. The penalty of Conſtables or Churchwardens that do not leuie, or certifie the default of diſtreſſes. AB. Alehouſe 6. &c.

Reports. 10 No perſon to whom a cauſe ſhall be referred by any Court, or Iudge, ſhall take any thing for his report. AB. Iuſtice 2.

Second marriage. 11 It ſhall be felonie to marrie a ſecond husband, or wife, the former being aliue. AB. Matrimonie 8. &c.

Coniuration. Witchcraft. 12 A Repeal of the Statute of 5. Eliz. 16. touching coniuration, witchcraft &c. The penaltie for practiſing Innocation, or Coniuration, whereby any perſon is killed, lamed, waſted, &c. & for declaring by witchcraft where any treaſure or ſtollen things be, and for prouoking to loue, or deſtroying of cattel. AB. Coniuration 1. &c. 33. H. 8. 8.

A new execution. 13 A new execution may be ſued againſt him which ſhall bee deliuered out of execution by priuiledge of Parliament. They ſhall bee diſcharged out of whoſe cuſtodie ſuch priuiledged perſons ſhall bee deliuered. AB. Execution 4.

Small debts in London. 14 A remedy for a free man of London to recouer a debt not exceeding xl. s. owing to him by another inhabiting within the ſaid Citie, or the liberties. A penaltie if the debtor doe not appeare before commiſſioners vpon warning, or if the creditor or debtor doe not performe their order, or if the creditor being a free man of London, doe ſue any other free man out of the ſame citie, for a debt vnder xl. s. HP. 3. Iac. 15.

Bankrupts. 15 An expoſition and addition to ſeuerall branches of the Statute of 13. Eliz. 7. touching Bankrupts. AB. Bankrupts 1. &c. 34. H. 8. 4.

Watermen. 16 What Wherriman rowing betweene Windſor and Graueſend may take an apprentiſe, or ſeruant. Of what age the apprentice retained to ſerue muſt be. The eight ouerſeers of watermen ſhall twice in the yeare reade their orders. AB. Boatmen 13. &c. 2. & 3. P. & M. 16.

Hats & Caps 17 The one moitie of the penalties inflicted by the Statute of 8. Eliz. 11. touching making of cappes and hats, and alſo by this Statute, ſhall be forfeited to the king, and the other to ſuch as will ſue for the ſame. None ſhall make felts, or hats, but which hath beene an apprentice, nor ſhall ſet any perſon to worke them, borne out of the kinges dominions. AB. Hats 4. &c.

Hops. 18 The penaltie for bringing into this Realme corrupt, or mixed hoppes: or for brewing of Ale, or Beere, to be ſold, with them. AB. Hops 1.

Garbling of ſpices. 19 The forfeiture if ſpices ſhall not be garbled, and clenſed, and after ſealed by the garbler, before the ſale of them: Or if the ſayd ſpices ſhall be mixed with any thing after the garbling. The garbler of ſpices may enter into other mens houſes, to ſearch for vngarbled ſpices AB. Spicerie 1. &c.

Painter. Plaiſterer. 20 No Plaiſterer ſhall vſe the occupation of a Painter ſtainer, in London or the Liberties thereof. What colours a Plaiſterer may vſe. A Painters day wages. AB. Painters 1. &c.

Goods purloined. 21 No ſale, exchange, or mortgage, of any houſhold ſtuffe, or other goods in London, Weſtminſter, or Southwarke, wrongfully purloined from any perſon, ſhall make any alteration of propertie of the ſame. The penaltie if a Broker being demaunded, ſhall deny to declare whether any ſuch came to his hands. AB. Brokers 1. &c.

Brokers.

Leather. 22 The dutie of Tanners, Curriers, Shoomakers, and other Artificers occupying the cutting of Leather. Buying and ſelling of Barke. Puruei-ance of Timber. A penaltie for tranſporting of Leather. AB. Leather 1. &c.

A repeale of the Statute of 5. Eliz. 8. touching the vſing, worſking, and cutting of leather, and of all other Statutes thereby repealed.

23 An ordinance for the preſeruation of fiſhing in the Counties of Somerſet, Deuon, and Cornewall: And a prouiſion for the defence of Balkers, Condors, and Fiſhermen, againſt malitious ſuits. AB. Fiſhers 21. &c. Fiſhing.

24 Who only ſhal make Mildernir, or Powle Dauy. The gwoncſſe, length and breadth thereof. AB. Mildernix 1. &c. Mildernir.

25 Seuerall Statutes made in the raignes of K. H. 8. K. Edw. 6. and Qu. Eliz. ſhall bee continued, and remaine in force vntil the end of the firſt Seſſion of the nert Parliament. And a repeale of diuers other Statutes. Corne of what prices may bee tranſported. AB. Corne 6. No perſon ſhall incurre any penaltie for want of length, breadth, or weight, of Welſh Cottons, vnder the price of fiftéene pence the yard, or two ſhillings the goad: ſo as they be not mixt with hayre, or other deceitfull ſtuffe: nor for any others aboue that price, except they be mixed as aforeſaid, or ſhall ſhrinke aboue the rate of halfe a yarde in twelue yardes in length, or weigh leſſe then fouretéene ounces the yarde: or hold not full three quarters of a yard broad. AB. Draperie 19. Stat. reuiued repealed. Welſh Cottens.

26 Certaine orders eſtabliſhed for the Exchequer, firſt commaunded by a priuie Seale from Quéene Elizabeth, Anno 13. of her raigne, and after ſet downe, and made 15. die Iunij, Anno Domini 1573. by the Lord Treaſurer, Chauncellor, and Barons of the Exchequer, ſhall bee obſerued. AB. Exchequer 5. &c. Exchequer orders.

27 The penaltie for ſhooting at, killing, or deſtroying, any Feſant, Partridge, Pigeon, Hare, &c. Or for the taking the egges of Feſants, Partridges or Swannes, out of their nests: And for the kéeping of a grayhound, or ſetting
31. H. 8. c. dogges, or nets to take Feſants or Partridges: And for ſelling, or buying to ſell againe, any Déere, Hare, Partridge, or Feſant. Who may take Partridges with nets, and when. Licence to ſhoot in a Gunne for Hawkes meat. AB. Feſants 6. &c. Taking of Felants &c.

22. Ed. 4. 8. 28 A Confirmation of the kings Letters Patents, bearing date at Weſtminſter 30. die Aprilis, Anno ſecundo Regis Iacobi, graunted to the Maior, Bailifes, and Burgeſſes, of the Borough of Berwicke vpon Twede: And of the Fraunchiſes, Liberties, and Cuſtomes of the ſaide Borough. MR. Berwicke Liberties.

29 To what ſortes of fleſh, Licences to eat fleſh in Lent, and vpon daies prohibited, ſhall not extend. Certaine officers authoritie in reſtraining the killing or deſſing of ſome ſorts of fleſh. The penaltie of deſſers of fleſh at daies prohibited. AB. Fiſh dayes 6. &c. Licences to eate fleſh.

30 The inhabitants of Melcombe Regis, in the Countie of Dorſet, within the Dioceſſe of Briſtoll, may at their owne coſtes build a church vpon the ground where the chappell now ſtandeth, and the grounds adioyning, conuenient to receiue all the inhabitants of Radipoll, and incloſe the waſt grounds adioyning, to make a Churchyard for a place of buriall. After which Church is builded, it ſhall bee called the Parochiall Church of Radipoll. And the newe Parſon of Radipoll, and his ſucceſſours, ſhall bee Parſons thereof. And the olde Pariſh Church of Radipoll, ſhall bee but a Chappell of eaſe. And the Patron of the olde Pariſh Church of Radipoll ſhall bee Patron of the new. A new Manſion houſe in Melcombe Regis, aſſigned to the ſaide Parſon, and his ſucceſſors for euer. MR. Radipoll. Melcombe Regis.

Infected with the plague.

31 Tarations ſhall be made by the chiefe officers of cities, townes, &c. of the inhabitants thereof, for the reliefe of ſuch perſons as ſhall bee infected with the plague. A remedie if the inhabitants be not able to relieue the infected perſons: Or where there be no Iuſtices of peace: Or where the infection is in a village or hamlet. Certificat ſhall be made of the tares at the Quarter Seſſions. The penaltie of infected perſons going abroad. Examiners, keepers, and buriers of the infected ſhall bee appointed by the chiefe Officers. AB. Plague 1. &c.

32 From the end of this Seſſion of Parliament, during ſeuen yeres, and no longer, there ſhall be paid by the Maſter, or owner of euery ſhip, veſſell, or crayer (ſauing of Lime Regis in the Countie of Dorſet) whereof any of the K. ſubiects ſhall bee owners, or part owners, of the burden of xx. tunnes, or vpwards, for euery voyage loading, or diſcharging within this Realme, or to or from any forreine countrey beyond the Seas, and paſſing to, or for, from, to or by Douer, or comming into the harbor there (not hauing a Coquet, teſtifying his paiment before) towards the repaire of Douer Hauen, three pence for euerie tunne, of the burden of euerie ſuch veſſell &c. Except veſſels loaden with ſea coles, or grindſtones, And for euerie chaldron of ſea coles or grindſtones j. s. ob. which ſhall be paid to the Cuſtomer, Collector of Cuſtoms, or Subſidies, or their deputies, &c. HR. 23. Eliz. 6. 35. Eliz. 7. 43. Eliz. 9.

Douer hauen.

Subſidie.

33 A Subſidie granted to the King during his life, of tonnage, pondage, wools, fells, leather, &c. AB. Cuſtomes 1. &c.

Statutes made at the ſecond Seſsion of Parliament holden *by prorogation at Weſtminſter 5. die Nouembris, Anno 3. Regis Iacobi, & Anno Domini 1606.*

Yearely praier for the Kings deliuerie.

¶ 1 The Miniſters in euerie Cathedral and pariſh Church, ſhal alwaies vpon euery fift day of Nouember ſay morning Prayer, and giue thankes to God, for the deliuerance of the King, Quéene, Prince, Lords, and Commons, aſſembled the ſame day in the vpper houſe of Parliament, from a moſt cruell conſpiracie inuented againſt them by certaine traitors, intending to blow thē vp in the ſame houſe with Gunpowder. And all perſons ſhall vpon that day reſort to ſome Church where the ſaid prayer ſhalbe ſaid, and there abide orderly during the time of the ſame. And euerie miniſter ſhall giue warning thereof to the pariſhioners the Sunday before. AB. Sacrament & Seruice diuine. Ref. 3. Holy dayes &c.

Seuerall perſons attainted of treaſon.

2 All and euerie the conuictions and attainders of Robert Winter, Thomas Winter, Guy Fawkes, Ambroſe Rookewood, John Graunt, Robert Keyes, Thomas Bates, and Sir Euerard Digby, ſhall be approued and confirmed. And as well they the ſaid Robert Winter, T. W. G. F. A. R. I. G. R. B. T. B. & E. D. as alſo R. Catesby, T. Pearcie, I. Wright, Chr. Wright, Hugh Owyn, and Francis Treſham, for their moſt deteſtable treaſon in conſpiring, and preparing the blowing vp with gunpowder of the Parliament houſe, ſhall ſtand and bee adiudged, conuicted, and attainted of high treaſon. And ſuch and ſo many of the ſaid offendors as are attainted by the courſe of the common lawes ſhall forfeit to the king, his heires, &c. all their manors, lands, tenements, rights, conditions, offices, fées, and hereditaments, and all their goods, chattels, debts, and other things, which they, or any of them, or any other perſon, or perſons, to any of their vſes had, the day of their ſeuerall trea-

treaſons ſpecified in their ſeuerall inditements, or at any time ſithence. And the ſaid R. Cateſbie, T. Pearcie, J. Wright, C. Wright, H. Dwyn, and Francis Treſham ſhall forfeit all their Manors, Lands, &c. which they had the dayes of their ſeuerall treaſons committed, viz. the ſaid R. Cateſbie, Th. Pearcie, J. Wright, and Ch. Wr. the 27. day of May, Anno ſecundo Regis Iacobi. The ſaid H. Dwyn the 27. day of May laſt paſt: and the ſaid Fran. Treſham the 9th. day of October laſt paſt, or at any time ſithence. And all and ſingular ſuch Manors, Lands, Goods, Chattels &c. of the ſaid offendors, as ſhall be forfeited, ſhall be in the actuall and reall poſſeſſion of the King, his heires &c. without any Office, or Inquiſition to be taken or found. Sauing the right of all other perſons (but of the offendors and their heires) which they had before the ſaid ſeuerall treaſons committed. And alſo ſauing the lawfull Gift, Graunt, Bargaine, or Releaſe of any Goods, Chattels, or Debts, made by any of the ſaid offendors, to any perſon or perſons, before the firſt day of November laſt. R.

1. Iac. 2. 3 All and euery proceedings, matters, and things whatſoeuer, which are yet to be had, made, done, or perfourmed of, or concerning the Act ordained (Anno 1. Iacob. Touching a Treatie to bee made betweene certaine Commiſſioners of the Realme of England, and certaine of the Realme of Scotland) in or about the full and finall execution of the ſame, ſhall and may in euery reſpect bee as effectually and fully had, made, perfourmed, and done in any other Seſſion of this Parliament, as if the ſame had beene done in this Seſſion. *Engliſh and Scottiſh Cõmiſſ.*

4 The penalty if a Popiſh Recuſant conforming himſelfe to repaire to the Church, ſhall not within one yeare after, and ſo once in euery yeare after, receiue the Sacrament of the Lords Supper. The Church-wardens and Conſtables of euery Pariſh ſhall once in euery yeare preſent the monethly abſence from Church of all Popiſh Recuſants, and of euery of their children, of nine yeares of age, and of euery of their ſeruants, at the generall or Quarter Seſſions. And their reward for the ſame. The Iuſtices of Aſſiſe, and Gaole Deliuerie, and Iuſtices of Peace ſhall haue authoritie to heare and determine the offences of Recuſants, and of not receiuing the Sacrament, and to make Proclamation, that the offendors body ſhall bee rendered to the Sherife. The Forfeiture of the offendor conuicted. The Certificat of a conuiction recorded into the Exchequer. For default of payment, Proces ſhall be awarded, to ſeize the lands and goods of the offendor. The King ſhall bee at libertie to refuſe twenty pounds a moneth of a Recuſant, and to take two parts of his Lands, Leaſes &c. But ſhall not haue his Manſion houſe: neyther ſhall let his two parts to a Recuſant. A Biſhop in his Dioces, or any two Iuſtices of Peace may require a Recuſant, or Perſon, which hath not receiued the Sacrament twice within one yeare before, to take the Oath hereafter following. A Certificat of the Receiuors thereof. The penalty of the Refuſors thereof. The forme of the Oath. No Trauerſe to an Inditement ſhal be allowed to a Recuſant, but to the direct point of not comming to the Church, ſauing after the party hath conformed himſelfe. The penaltie to go ouer ſea to ſerue any forraine Prince, not taking the aforeſaid Oath. A Captaine or Lieutenant going ouer the ſea, ſhalbe bound by Obligation in twenty pounds, with two ſureties, not to bee reconciled to the Pope, nor to enter into any practiſe againſt the King. Who ſhall accept the ſaid Bond and Oath. The 23. Eliz. 1. penalty for perſuading, or beeing perſuaded from the naturall obedience to the King, or to promiſe obedience to the Pope or Sea of Rome. Where the ſayd offence ſhall bee tryed. Tryall of Peeres offending. A penalty for

Recuſants conformed.

Preſentment of Recuſants.

Forfeiture of a Recuſant.

10. l. a month, or two parts of lands, &c.

The Oath.

Trauerſe to an inditement.

Going ouer the Sea.

Perſuading.

not

not repayring euery Sunday to Church. A Repeale of two Branches of the ſtatute of 35. Eliz. 1. touching relieuing or keeping a Recuſant in his houſe.

Keeping a Recuſant. The penalty for keeping a Recuſant in his Houſe, Fee, Seruice, or Liuerie.

Excõmunicat The Shirife hauing a Writ, may breake open the houſe of any perſon excommunicated, for the apprehending of him. What Iuſtices may enquire of the offendors of this act. The plea of any perſon againſt whom action ſhalbe brought for doing or commaunding any thing, according to this ſtatute. The Eccleſiaſticall Iuriſdiction ſaued.

Huſband. Wife. The huſband ſhall not bee charged for the wiues offence in not receiuing. Nor any woman for the ſame offence happening during mariage. Who may accept the foreſaid oath of a nobleman or woman. The Warden of the Cinque Ports, or his aſſignee ſhall take the oath of them which paſſe out of the ſame, to ſerue any forreine Prince. AB. Recuſants 40. &c.

Diſcouering the offence of a Recuſant. 5 The Reward of him that diſcouereth a Recuſant relieuing a Prieſt, or a Maſſe that hath been ſaid, or ſuch as were preſent thereat. A Popiſh Recuſant ſhall not repaire to the Court, but in certaine caſes. Popiſh Recuſants ſhall depart from London, and tenne myles compaſſe thereof. Popiſh Recuſants

Recuſants ſhall not come to the Court, or London. which ſhall remaine within London, or ten miles thereof, ſhal depart from the ſaid citie, and ten myles compaſſe, & ſhall deliuer vp their names to the Mayor of London, or to the nert Iuſtice of Peace, ſauing ſuch as vſe any Trade, or dwel in London, or within ten myles. A confirmation of the ſtatute of 35. El. 2. concerning the confining of Recuſants, and of the penalties therof. The Proniſo in the ſaid ſtatute, giuing authority to certaine perſons to grant Licence to Recuſants to trauaile out of the compaſſe of fiue myles, repealed. Who may

Licence to Recuſants to trauaile. giue Licence to Recuſants to trauaile aboue fiue myles. What offices, functions, & places in the Commonwealth a Recuſant ſhalbe diſabled of. A Popiſh Recuſant conuict, or to be conuicted, or hauing a wife conuict, ſhal not beare any

A Recuſant ſhalbe no Officer. office. The forfeiture of a woman being a Popiſh Recuſant conuict (her huſband not being ſo) after her huſbands death. A Popiſh Recuſant diſabled to

Woman Recuſant. ſue, as a perſon excommunicated. The penalty of a Popiſh Recuſant otherwiſe maried then in an open Church. A Recuſants child ſhal be baptized by a

A Recuſant diſabled to ſue. Miniſter in the open Church. The penalty for burying a Recuſant (not being excommunicate) otherwiſe then in a Church or Church-yard. The penaltie

Going beyond the Sea. of children which ſhall goe beyond the Sea, without Licence of the King, or ſire of the Priuie Counſell. And the forfeiture of them which doe ſend them beyond the Sea. And the penalty of them which are gone beyond the Sea

Benefices. Aduowſons. without Licence. A Popiſh Recuſant ſhall not preſent to any Benefice, nor graunt any auoidance to a Benefice: But the Chancellor and Schollers of the Vniuerſities of Orford and Cambridge ſhall haue the Preſentations

Executor. Guardian. to the ſame. A Recuſant conuicted ſhall not bee Executor or Adminiſtrator to any, nor ſhall bee Guardian of any child. And who ſhall haue the educati-

Popiſh booke. on of ſuch a child. None ſhall bring from beyond the Sea, print, buy, or ſell any Popiſh Primers, Pſalters, Manuals, &c. nor other ſuperſtitious bookes

Searching Recuſants houſes. in Engliſh. Iuſtices of Peace may ſearch Recuſants houſes for Popiſh Bookes or Reliques. Recuſants Armour and Munition ſhall bee taken

Recuſants Armour. from them. The penalty of a Recuſant not declaring to the Iuſtices what Armour hee hath. The Eccleſiaſticall Iuriſdiction ſaued. AB. Recuſants 60. &c.

Marchants. 6 All Marchants may trade into, and from Spaine, Portugall, and France, notwithſtanding a Charter of Incorporation graunted by the King vnder the great Seale, to diuers Marchants, and their Companie, only to trade thither. AB. Marchants 19. 1. H. 4. 17.

7 No

7 No Atturney, Sollicitor, or ſeruant ſhalbe allowed any fée, or for money giuen for copies, without a Ticket ſubſcribed by the receiuer therof. And they ſhall giue vnto their Clients a true Bill ſubſcribed with their hands. The penaltie of an Atturney &c. for delaying his Clients ſute, or for demanding more then is due. Who only ſhall be admitted Atturneies. None ſhall follow a ſute in anothers name. AB. Atturney 15.16. Atturneyes. Sollicitors.

8 In what caſe onely execution ſhall bee ſtaied by Writ of Error, ſued for the reuerſing of a iudgement giuen in an Action, or Bill of Debt. AB. Execution 5. Execution ſtaied.

9 Who onely may dreſſe or tranſport Conie ſkinnes. How many Conie ſkinnes or Lambes ſkinnes at the leaſt a Marchant muſt buy or ſell at one time. Who onely a Skinner may take to bee his Apprentice, Iourneyman, or Seruant. How the forfeitures ſhall bee employed. AB. Marchants 20. &c. Marchandſe

10 An offendor ſhall be conueyed to the Gaole at his owne charges, if he be able to beare them, if not, at the charge of the Pariſhioners where hee ſhall be taken. The defendants plea in Treſpas, or auowrie for any diſtreſſe taken, or ſale made by force of this Act. AB. Priſon 7.8.9. Priſoners.

11 It ſhall be lawfull for euery perſon to tranſport Béere with the Caſke vnto any place beyond the Sea in amitie with the King, when the price of Mault ſhall not exceede xvj.s. the Quarter. What impoſt and Cuſtome the King ſhall haue for Béere tranſported. This ſhall bee no preiudice to the bringing in of Clapboord. AB. Corne 6. Béere tranſported. Clapboord. 35.Eliz.11.

12 The forfeiture of ſuch perſons as ſhall ſet vp any new Weare along the Sea ſhoare, or in any Hauen, or within fiue myles thereof: or ſhall deſtroy the Spawne or Frie of Fiſh: or ſhall fiſh with any drawnet vnder 3. ynches Meaſhe. AB. Fiſh. 23. Vnlawfull fiſhing.

13 The penalties for vnlawfull entring into any grounds incloſed, vſed for the kéeping of Déere or Conies, and vnlawfully to hunt there, without conſent of the owner: Or for any perſon not authorized to vſe any Bowe, Gunne, or Croſbowe to kill any Déere or Conies: Or to kéepe any Bucke-ſtal, Engine, Hayes, Gatenets, Purſnets, Ferrets, or Conie Dogs. The authoritie of the Iuſtices of Aſſiſe, Peace, &c. herein. AB. Forreſts 9. &c. Iuſtices of Peace 34. Vnlawfull hunting.

14 The Wals, Ditches, Bridges, Water-courſes &c. within two myles of the Citie of London, which fall into Thames, ſhall be ſubiect to the Commiſſion of Sewers, and to all Statutes and Penalties made for Sewers. AB. Sewers 20. London Sewers.

15 A Remedie for a Trades man Victualler, or Labourer in London, to recouer a debt vnder 40.s. of a perſon of the like degrée there. The penaltie if a Londoner doe ſue in any other Court for a ſmall debt, or of him which refuſeth to appeare before Commiſſioners there, or to performe their award. AB. Debts 2. &c. The Repeale of a Statute made 1. Iacob. 14. partly to the like effect. Small debts in London.

16 A Repeale of the Statute of 14. Elizab. 10. ordained for the length of Kerſeyes. Of what length and weight ordinarie Kerſeyes, and of what ſorting Kerſeyes ſhall be. The Kings Cuſtome of ſuch Kerſeyes. AB. Drapery 15. Kerſeyes.

17 No perſon ſhall incurre any penaltie for want of a content Seale, to containe the length, breadth, or weight of Welſh Cottons. No Welſh Cottons ſhall be ſearched or tried in the water by any, but the buyer. AB. Draperie 19. Welſh Cottons.

18 It

A new Riuer brought to London.

18 It ſhall be lawfull to the Lord Mayor, Comminaltie, and Citizens of the Citie of London, and their Succeſſors, at any time hereafter, to begin and continue the laying out of ſuch conuenient limits of ground, for the making of a Trench, for a Riuer of running water to bee brought to the North parts of the ſaid Citie of London, from the Springs of Cawdwell and Amwell, and other Springs in the Countie of Hartford, not farre diſtant from the ſame, at the breadth of tenne foote, and not aboue, as to them and their deputies, and workemen, with the allowance of the Commiſſioners hereafter mentioned, or any ſeuen of them ſhall be ſéene conuenient. And in that place they ſhall finde moſt méete for that purpoſe to take the vſe of ſo much ground as ſhall containe tenne foote in breadth, and not aboue, during and by all the length, as the ſaid new Channell ſhall paſſe, for the conueying of the ſaid water from the ſaid Springs to London, leauing the inheritance of the New Cut in the owners thereof. And the ſaid Mayor &c. and their Succeſſors for euer, (for the conſideration hereafter expreſſed) ſhall haue liberty to digge the ſame ground, to bée imployed for the ſaid Riuer, not exceeding tenne foote in breadth along all the ſayd whole length of the ſayd Riuer, or New Cut, and from time to time for euer to maintaine the ſame, and to lay the earth there to be digged on either ſide of the ſayd Riuer, in ſuch places as ſhall be thought méete for that purpoſe, and to haue frée paſſage to and from the ſaid Riuer, with Men, Horſes, Carts, and Carriages at all times conuenient, and in places conuenient, for the making of the ſaid New Cut, and for the preſeruing of the ſame, and the Bankes thereof, from time to time for euer, to the entent, that no part of the ſaid Streame bée at any time after the making of the New Cut, without the conſent of the Mayor &c. turned, or conueyed out of the ſayd New Cut or Watercourſe. In conſideration whereof, the Mayor, Comminaltie, and Citizens of London, and their Succeſſors ſhall make ſuch ſatisfaction or compoſition to and with the Lordes, Owners, and Occupiers of the ſame grounds, through which the newe Riuer ſhall bée made, and with all ſuch perſons as ſhall ſuſtaine any loſſe or hinderance in their Milles, ſtanding vpon any of the Riuers or Streames from which the water ſhall bée taken, through the ſayd New Riuer, as ſhall bée to the contentment of the ſaid Lords, Owners, and Occupiers of the ſaid Grounds and Milles: And in default of their agreement by mutuall aſſent, ſuch ſatisfaction as ſhall bée limitted by the Commiſſioners to bée aſſigned for that purpoſe by the Lord Chauncelour, or Lord Keeper of the great Seale, by Commiſſion vnder the great Seale, or by any nine of them, whereof foure to bée Citizens of London.

Recompence.

Commiſſion at the Mayor of Londons charge.

At the requeſt and charges of the Mayor &c. of London, Commiſſion or Commiſſions ſhall be graunted to ſuch perſons as the Lord Chauncellor or Lord Keeper ſhall nominate, whereof foure ſhall be of the Countie of Middleſex, foure of Eſſex, foure of Hartford, and foure of the Citie of London, euery of them hauing Landes of the clere yearely value of fortie pounds, which fortéene, or any nine of them, whereof two to bée of the Citie of London, ſhall haue power to order and ſet downe, what rates or ſummes of money ſhall be made by the Mayor &c. of London, to the Lordes, Owners, and Occupiers of the Grounds, and Soyle, and Milles, for the which compoſition is to bee made by the entent of this Act, if the parties cannot of themſelues agrée, and in what manner the ſame ſhall bee paied. And the partie to whom the ſame ſhall be due, ſhall or may recouer the ſame againſt the Mayor and Comminaltie of London by Action of Debt in any of the Kings Courts of Record at Weſtminſter, wherein no E. P. or Wi. &c.

The remedy of the partie grieued.

If

If there ſhall happen Breaches, Inundation, or Hurts in the New Cut, the Mayor &c. of London at their owne charges from time to time ſhall ſtoppe them, and maintaine them, and make ſufficient recompence to the partie grieued, to be recouered by Action of the caſe, grounded vpon this Statute. The Mayor &c. of London ſhall from time to time make Bridges and Wayes for paſſage of the Kings Subiects, their Cattell, and Carriages, ouer or through the ſaid New Cut, in places conuenient: And all things done for the ſcouring, cleanſing, and amending thereof, ſhall be at their charges. The Mayor &c. of London ſhall not put the ſaid digging in execution, vntill all the Owners, Occupiers, and Lords bee agreed with. After the ſaid New Cut, Streame, or Riuer ſhall be brought from the foreſaid Springs to the Citie of London, the ſame ſhall be ſubiect to the Commiſſion of Sewers, and to the Lawes and Statutes made for Sewers. And all Fines and Amerciaments which ſhall be impoſed by vertue of the ſaid Commiſſion of Sewers, for any wilfull offences, to the hurt of the ſaid Riuer, ſhall be to the vſe and benefite of the ſaid Mayor, Comminaltie, Citizens, and of their Succeſſours for euer. HR. AL. 4. Iac. 12.

Bridges and Wayes.

Sewers.

19 The Owners, Tenants, Fermors, Inhabitants, and Occupiers of Landes, Tenements, and Hereditaments, lying in the Hundreds of Kingſton, Emlinbridge, Copthorne, Effingham, Wallington, Wotton, and Rigate (the Borough of Rigate excepted) in the Countie of Surrey, ſhall bee charged with the Repairing, Amending, and Maintaining of the High Way, leading from Monſuche to Kingſton vpon Thames, in the Countie of Surrey, as lyeth betweene Ewell, and the Hamlet of Talworth, in the Parish of Long Ditton, from time to time for euer hereafter. The Iuſtices of Peace of the ſayd Countie of Surrey, or foure of them at the leaſt (whereof two to be of the Quorum) dwelling in the ſaid Hundreds, or nere thereunto, ſhall haue authoritie from time to time to call before them ſuch, and ſo many of the perſons, (as they ſhall thinke meete) which by this Act are bound to repaire the ſaid Highway, And thereupon to take and make ſuch Orders concerning the amending of the ſayd Highway, and for the charges thereof to make ſuch aſſeſſements of money, or otherwiſe, vpon the ſayd Owners &c. and all ſuch as by this Act ſhall bee bound to repaire the ſaid High way, as to the ſayd Iuſtices ſhall bee thought meete, hauing indifferent reſpect to their ſeuerall abilities, nereneſſe, remoteneſſe, and other like charges: Notwithſtanding the ſayd Owners, Tenants, Fermors, and Occupiers of the ſaid landes &c. in the ſaid Hundreds bee dwelling out of the limits of the ſaid Hundreds. And it ſhalbe lawfull for the ſaid Iuſtices, or foure of them &c. yearely to appoint Overſeers for the performing of ſuch Orders, and Collectors for the gathering of the money ſo to be aſſeſſed: Which Aſſeſſements ſhall be leuied and employed onely towards the repairing and maintaining of the ſaid Highwayes, by ſuch as ſhall be appointed Overſeers by the ſaid Iuſtices. If any ſhall refuſe to pay the money ſo taxed, it ſhall be lawfull for the ſaid Collectors, or in default thereof, for the high Conſtables of the Hundred, where the Refuſor ſhall dwell, or hold any Land, by warrant vnder the hands and ſeales of the ſaid Iuſtices, or two of them, whereof &c. to leuie the ſame by Diſtreſſe, and ſale of the goods of the partie refuſing, deliuering the reſidue to the owner. And in default of ſuch Diſtreſſe, to commit the Refuſor to priſon, vntill hee hath paied the ſame. The Collectors ſhall yearely account to the ſayd Iuſtices, or foure of them, whereof two to bee &c. and deliuer the arrerages vnto them, when they ſhall be appointed.

The High way frō Monſuch to Kingſton.

The Iuſtices of Peace authoritie.

Overſeers. Collectors.

If any

If any appointed Ouerſéer, or Collector doe refuſe to execute that Office: Or if any Collector, being required, doe not make his account to the ſaid Iuſtices, and deliuer vp the arrerages, he ſhall forfeit fiue pounds. If the Iuſtices of Peace of the ſaid Countie of Surrey doe refuſe or neglect to put this Act in execution within fiue weekes after the Seſſions holden at Eaſter, then the Lord Chauncelour or Lord Keeper of the great Seale, vpon requeſt, ſhall and may make forth Commiſſion or Commiſſions vnder the great Seale to ſuch perſons as to him ſhalbe thought méete and ſufficient to put this Act in execution. Which Commiſſioners ſhall haue authoritie to put the ſame in execution in euery part, as the ſaid Iuſtices of Peace of the ſaid Countie of Surrey ſhould or might do. If any Action of Treſpas, or other ſuite ſhall be brought againſt any perſon or perſons, for taking a Diſtreſſe, making of Sale, or any other thing, by the authoritie of this Act, the defendants therein, ſhall, or may pleade not guilty, or otherwiſe, make Auowrie, Cogniſance, or Iuſtification for the ſame, alleadging, That the ſame was done by the authoritie of this Act, without rehearſall of any other matter or thing: To which the Plaintife ſhalbe admitted to replie, That the defendant did the ſame Act of his owne wrong, without any ſuch cauſe, wherupon the Iſſue in euery ſuch Action ſhalbe tried by the verdict of twelue men, and not otherwiſe, as is accuſtomed in other perſonall actions. And vpon the triall thereof, the whole matter being giuen on both parts in euidence, and after ſuch iſſue tried for the defendant, or Nonſute of the plaintife after apparance, the defendant ſhall recouer treble dammages, by reaſon of his wrongfull veration in that behalfe, with his coſts, to be aſſeſſed by the ſame Iury, or writ to enquire of dãmages, as the ſame ſhal require. To continue vntill the end of the firſt Seſſion of the nert Parliament. HR.

Commiſſions to execute this Act.

Pleas in ſuits commenced vpon this Statute.

Paſſage by Thames frõ London to Oxford.

20 The Lord Chauncelour, or Lord Keeper of the great Seale, ſhall and may by his appointment and diſcretion, authorize by Commiſſion eighténe Commiſſioners, wherof fiue to be of the Countie of Oxon, viz. one of the Vniuerſitie, and one of the Citie, and foure of the ſaid Countie, not being of the Vniuerſitie, nor Citie of Oxford, and foure of the Countie of Berkes, and foure of the Countie of Wiltes, and foure of the Countie of Glouceſter. Euery of which Commiſſioners of the ſaid foure ſeuerall Counties to be choſen out of fiue, to be ſeuerally and reſpectiuely nominated and certified to the ſaid Lord Chauncelour, or &c. by the more part of the Iuſtices of Peace of the ſaid ſeueral Counties, aſſembled at their generall Aſſiſes, or Quarter Seſſions, Which ſaid Commiſſioners, or the more part of them, ſhall haue authoritie to treate, compound, and agrée with euery ſuch perſon, as ſhal or may receiue hurt, loſſe, or detriment by any act or thing neceſſary to be done, for the clearing, effecting, or perfecting, of the Riuer of Thames, ſo as it may beare Barges and Boats vnto the Citie of Oxon, and from thence into ſome part of the Counties of Oxon, Berkes, Wiltes, and Glouceſter. And in caſe any perſon ſhalbe obſtinate, and will not reaſonably be compounded withall, then to determine, and ſet downe, what, and how much recompence euery ſuch perſon ſhal haue: and after ſuch recompence ſo agréed vpon, or ſet downe, by the ſaid Commiſſioners, or the more part of them, then it ſhalbe lawful for them, or any perſon or perſons, by them to be appointed, to digge, or cut away the land, ſoyle, and inheritance of any perſon, in, about, or adioyning to the ſaid Riuer, which ſhall be conuenient and neceſſary for the more frée paſſage of the ſaid Riuer, and the making of the ſame méet to carry any Veſſel, Boate, or Barge to the places aforeſaid. The ſaid Commiſſioners, or the more part of them, ſhall haue full power and authoritie, to aſſeſſe and tare ſuch of the inhabitants of the ſaid ſeuerall Counties, as ſhal be likely to receiue benefit or eaſe by the ſaid paſſage,

Aſſeſſement.

and

and as well thoſe in the Vniuerſitie, as in the Citie of Oxon, at ſuch reaſonable ſummes of money, as they in their diſcretions ſhall thinke fit & conuenient: the ſaid ſummes to be emploied for and towards the ſatisfaction, as well of the perſons damnified, as alſo of other neceſſary charges touching the effecting of the ſaid worke, and the continuance and maintaining of the ſame. The ſaid Commiſſioners, or the more part of them, ſhall haue full power and authority at all times to appoint ſuch perſons as they ſhall thinke fit to gather the ſayd ſummes of money, ſo to bee aſſeſſed: which Collectors ſhall haue power by way of Diſtreſſe, vpon denyall, refuſall, or non-payment, within tenne dayes after demaund thereof made, to leuie the ſame, and to make ſale of the Diſtreſſe, and to deliuer to the owner the reſidue thereof. And the money ſo to be leuied, ſhall be deliuered and payed to the ſaid Commiſſioners, which ſhall make the ſaid aſſeſſement, or to ſuch as they will appoint, to be employed with as much ſpeed as may be to the purpoſe aforeſaid. If any perſon, tared to pay money, doe refuſe the payment thereof, or withſtand their Diſtreſſe, or ſhall refuſe to gather the money aſſeſſed, or denie to accompliſh the order or commaundement of the ſaid Commiſſioners, or the more part of them, then hee ſhall bee impriſoned, vntill he be conformable thereunto. If any perſon receiuing money towards the workes aforeſaid, ſhall detaine it, and not employ it to the vſe aforeſaid, he ſhall forfeit the treble value of the ſumme detained: whereof one moytie ſhall bee employed towards the performance of the ſayd Worke, and the other to the Informer, to bee recouered in any of the Kings Courts of Record, by A. B. P. or I. wherein no E. P. or W. &c. If any ſhall find themſelues grieued or wronged by the Commiſſioners order, or in default of ſatisfaction, then vpon complaint to the Iuſtices of the ſaid Countie, at their Quarter Seſſions, they, or the more part of them, may appoint ſuch redreſſe, as in their diſcretions they ſhall thinke fit: And in default thereof, the party vpon ſuite exhibited, ſhall haue ſuch relieſe in the Chauncerie, as appertayneth to Iuſtice, Right, and Equitie. The Vice-Chancellor of the ſaid Vniuerſitie, and three Senior Doctors, being Heads, or chiefe Gouernours of Colledges, and the Mayor of Oxon, and three Senior Aldermen of the ſame Citie, or fiue of them, whereof the ſayd Vice-Chancellour and Mayor for the time being, ſhall be two, ſhall order and determine all thinges touching Wharfage, and all payments whatſoeuer, to bee made, in, or at the ſayd Citie. No Inhabitant of any of the foreſaid ſeuerall Counties ſhall bee tared or impriſoned, as is aforeſaid, without the conſent of two of the Commiſſioners, or more, of that Countie, of, or in which hee ſhall bee Inhabitant. HR.

Collectors.

Denying to pay, or to be ordered.

A remedy for the parties grieued.

Wharfage.

21 The penaltie of Players on Stage, Interludes, Shewes, Maygames, or Pageants, which prophanely vſe the name of God. AB. Playes &c. 8.

Stageplaiers

22 Within three yeares after this Seſſion of Parliament, the Iuſtices of Peace within the County of Middleſex, in their Quarter Seſſions, or out of their Seſſions, any foure of them, ſhall and may aſſeſſe and tare, according to their diſcretions, all, and euery of the Occupiers of any Houſes, Gardens, Lands, or Tenements, and Owners of the Inheritances, or Freehold thereof, adioyning to Drury Lane, at eyther end, or at any ſide thereof, and all & euery, or any of the Inhabitants of the ſeuerall pariſhes of S. Gyles, S. Martins in the Fields, Saint Clement Danes, the Sauoy, and ſo much of the Pariſh of Saint Andrewes in Holborne, as is within the ſayd County of Middleſex, being the fiue Pariſhes, into which the ſaid towne of Saint Gyles, and Drury Lane, do extend, or the occupiers of Lands within any of the ſaid Pariſhes,

Pauing of S. Gyles, and Drury Lane.

with ſuch ſumme & ſummes of mony, towards the repayring and pauing of ẏ ſaid Towne of Saint Gyles, & Drury Lane, or ſo much thereof, as in the diſcretions of the ſaid Juſtices, or any foure of them, ſhall be thought meete & conuenient. And the ſaide Juſtices ſhall & may appoynt one of the Inhabitants in euerie of the ſaide Pariſhes, to bee Surueyour of the Worke, & another to bee Collector of the ſaide ſummes of money: who ſhall and may leuie by Diſtreſſe, and ſale of goods, all ſuch ſummes of money as ſhall be aſſeſſed and vnpayed, and make account of his receits and payments to the ſaide Juſtices, as often as they ſhall thinke meete. And after the ſaid Lanes & Streetes ſhall be fully paued, all ſuch Houſes, Landes, Tenements, and Hereditaments, as are or ſhall be nert adioyning to the premiſſes, ſhall be yearely chargeable towards the reparation & maintenance of the ſaid Lanes & Streets, at ſuch rates as 4. of the ſaid J. of Peace in their diſcretions ſhall thinke fit. HR.

Surueyors. Collectors.

Chepſtowe Bridge.

23 A Repeale of the ſtatute of 18. Eliz. 17. ordained for the maintenance, & new making of Chepſtow Bridge. The County of Glouceſter, & the County of Monmouth, ſhall for euer ſtand chargeable, reſpectiuely and ſeuerally, for the erecting, building, new making, & continuall reparation and maintenance of Chepſtowe Bridge, when and as often as need ſhall require, viz. The ſaid County of Glouceſter, from the middeſt of the ſaid Bridge, or from the place where the middeſt of the ſaid Bridge ſtod in the Riuer, for that part or moytie of the ſaid Bridge, which lyeth on that ſide, vnto the Lordſhip of Tiddenham. And the ſaid County of Monmouth, from the middeſt of the ſaid Bridge, or from the place where the middeſt of the ſaid Bridge ſtod in the Riuer, for that part, or moytie thereof, which lyeth on that ſide, vnto the Lordſhip of Chepſtowe. The Juſtices of Peace, or any foure of them, in eyther of the ſaid Counties whereof one to be of the Quorum, ſeuerally & reſpectiuely, ſhal haue power and authority to tare & rate euery of the Inhabitants of the ſaid ſeuerall Counties of Glouceſter & Monmouth, as well within the Liberties, as without, to ſuch reaſonable ſumme or ſummes of money, from time to time, as to the ſayd Juſtices, or any foure of them, ſhall be thought fit, needfull, and conuenient, for the building, new making vp, and erecting of the ſaid Bridge, and for the continuall reparation thereof: and after ſuch taration made, the ſaid Juſtices ſhal cauſe the names and ſummes of euery particular perſon, in eyther of the ſayd Counties ſo tared, to be written in ſeuerall Rolles indented: And ſhal appoint Collectors in euery Hundred, in either of the ſaid Counties, ſeuerally and reſpectiuely, for the collection of all ſummes of money ſo by them tared: which may diſtraine, and ſell the Diſtreſſe for the mony ſo tared, being behind & vnpayed. And alſo the ſaid Juſtices ſhal appoint 4. ſufficient perſons out of ẏ ſaid ſeuerall Counties, to be Surueyors from time to time, as need ſhall require, to ſuruey & ſet forward the Worke for building & repairing of the ſayd Bridge, into whoſe hands the ſaid Collectors of the ſaid Counties ſhall pay the money ſo by them leuied & collected: which Collectors and Surueyors being required, ſhall make account to the Juſtices in eyther of ẏ ſaid Counties of their receits & payments: and for default & refuſall thereof, ſhalbe committed to ward, there to remaine without bayle or mainprize, vntill they make payment of ſuch money as ſhall appear to be by them detained, & not employed. The Juſtices may aſſigne certaine perſons, to aſke and receiue of any paſſengers trauayling that way, any money or benevolence towards the building of ẏ ſaid bridge, as they without compulſion will giue, vntil the ſame be fully built. If any J. of Peace hath, or ſhall detaine any ſumme of mony, giuen or collected towards the new building or reparation of the ſaid Bridge, he ſhall forfeit for euery ſuch offence 40. l. HR.

The Juſtices of Peace authoritie.

Taxation of the inhabitãts

Collectors.

Surueyors.

Account.

Benevolence.

24 The bridge ouer the riuer of Seauerne, neere adioyning to the towne of Upton vpon Seauern in the County of Worcester, shalbe wholly made, builded, & finished within the space of 3. yeres after the end of this Session of Parliamēt, by the inhabitants of the County of Worcester (other then the citizens of the city of Worcester, inhabiting in the said city, & that only concerning the lands, goods, & chattels within the said city, & the liberties thereof) vpon pain of forfeiture of 100. l. for euery yeare after the end of the said 3. yeres, that ỳ said bridge shall happen to be vnfinished, to be payed by the inhabitants of the said County (other then the said citizens:) the one moity to be employed towards ỳ repairing of the said bridge: the other to him that will sue for the same in any of the K. Courts of Record, by A. B. P. or J. wherein no E. P. or W. &c. The Iust. of Peace of the county of Worcester, or any three, foure, or more of them, to be nominated & agreed on by the Iust. of Peace of the said county, or ỳ more part of them, at their Qu. Sessions, shall haue authority to assesse & tare euery inhabitant from time to time, within the same (other then ỳ foresaid citizens) to such reasonable summe of money as they in their discretions shall think meet & conuenient, vntill ỳ said bridge shalbe fully builded: & to appoint collectors to gather ỳ same, who for default of paiment may distrein, & sell ỳ distresse &c. R. The Bridge by Upton vpō Seauerne.

25 A confirmation of foure Subsidies of iij. s. in the pound, graunted to the King by the Clergie. Subsidies 4.

26 Three entire Subsidies and six Fifteenes graunted to the King by the Temporaltie. Subsidies 3. Fifteenes 6.

27 A confirmation of the Kinges generall and free Pardon: Except &c. Pardon.

Statutes made at the third Session of Parliament holden *by prorogation at Westminster 18. die Nouembris, Anno 4. Regis Iacobi, & Anno Domini* 1606.

¶ 1 A repeale of these hostile statutes hereafter mentioned, viz. of so much 4. H. 5. 7. of the statute of 4. H. 5. touching letters of Part or reprisall granted against ỳ people of Scotland, as concerneth the said people of Scotland: and of a prouiso 33. H. 8. 6. contained in a statute made Añ 33. H. 8. by which the K. subiects, inhabiting within ry. miles of the borders of Scotland, are permitted to vse crossebowes, handguns, hackbuts, or demihakes, or to vse or keepe them in their houses, or 7. R. 2. 16. elsewhere: and of the statute of 7. R. 2. by which it is enacted, That no armour, victuall, or other refreshment be caried into Scotland, vpon paine of seizure or forf. thereof: and of the stat. of 31. H. 6. wherby it is enacted, That March law 31. H. 6. 3. be not vsed out of the circuit of the counties of Northumberland, Cumberland 7. H. 7. 7. & Westmerland, & the towne of Newcastle: and of the stat. of 7. H. 7. wherby it is enacted, That Scottishmē shal auoid out of ỳ realm of England wīn a time 23. H. 8. 16. prefixed: and of the stat. of 23. H. 8. & 1. El. wherby ỳ cōueying of horses out of 1. Eliz. 7. England into Scotland is made felony: and of ỳ stat. of 2. & 3. P. & M. & 23. El. wherby it is enacted, That no lands or tenements be let to Scottishmē vpō the borders. Prouided neuertheles, that none of ỳ articles, clauses, or branches abouesaid shal take effect, vntil these acts of Parliamēt of the realm of Scotlād hereafter following (& also all other hostile laws not hereafter mentioned) shal by act of Parliamēt of ỳ said realme of Scotland be repealed & made void, viz. One act made in the time of Iames the first, King of Scotland, wherby it was enacted, That all persons remaining in England without the K. licence, did A Repeale of hostile lawes.

The hoſtile lawes of Scotland.

commit Treaſon: and another ſtatute made in the ſaid Kings raigne, whereby any aſſurance with Engliſhmen, for taking protection from them for lands or goods, is Treaſon: & another act made in the ſaid K. raigne, inhibiting the buying and ſelling of Engliſh goods, forbidden vnder paine of forfeiture: and one other act made in the time of Iames the ſecond, King of Scotland, That none ſhould paſſe into England in time of warre without licence, vnder paine of treaſon: and another act made in the ſaid Kings raigne, That no Engliſhman come into Scotland without conduct, and that no Scottiſh man ſit vnder aſſurance with them: and another act made in the ſame K. time, That no Scottiſh man ſupply Barwicke and Rorborow vnder paine of treaſon: and another act made in the ſaid Kings time, That all men be ready for the defence of the Realme againſt England: and two acts made in the time of King Iames the third, King of Scotland, for reſiſting King Edw. 4. and another act made in his time, concerning the vpholding of Barwick, and garriſons vpon the borders: and one act made in the raigne of Mary, late Qu. of Scotland, whereby Scottiſhmen are charged to leaue aſſurance with Engliſhmen: another act made in the ſame Qu. raigne, concerning aſſured Scottiſh men aſſiſting the Engliſh army: and one act made in the raigne of King Iames that now is, containing, That ỳ Scottiſh borderers are diſcharged to marry Engliſh borderers daughters: and another act made in his time, enioyning the Warden to put in a bill the names of all Engliſhmen that occupy land in Scotland, & ſæke redreſſe according to the Treatiſe. A repeale of the ſtatute of Anno 5. R. 2. concerning the reſtraint of paſſage of the Kings ſubiects out of this Realme, and of euery Ordinance, Prouiſion, Article, or Clauſe therein. A pardon of all offences. No perſon ſubiect of either Realme ſhalbe puniſhed, troubled, ſued, deliuered, or remaunded, or called in queſtion for life, member, damage, reſtitution, or ſatisfaction, for, or by reaſon of any offences, wrongs, or treſpaſſes (before the death of Q. Eliz.) which were determinable by the laws of the borders, or otherwiſe, which purported actions of hoſtility by ſea or land, by him or thẽ committed, or whereunto he or they were acceſſories before, or after ſuch offence cõmitted, or priuy, or aiding to ỳ ſame, or for or in reſpect wherof he or they were or are pledges, or chargeable wᵭ any promiſe, bill, bond, contract, bils filed, ſentẽce, decrẽ, or other aſſurãces giuẽ or takẽ for ỳ ſame only, or for ſo much only of ſuch other aſſurances as was giuẽ, or is in force for ỳ cauſe, & no other. Trial of offẽces cõmitted by Engliſhmẽ in Scotlãd, & by Scottiſhmẽ in Englãd. AB. Trial 10. &c.

5. R. 2. 2.

A pardon of hoſtile offẽces done before Q. Eliz. death

The length, breadth, and weight of Clothes.

2 The length, breadth, & weight of clothes made of dyed wools, & mingled colours, of long worſtedders, of plunkets, azures, & blues, of ſorting clothes, of fine ſhort ſuffolkes, of handy warpes, of coloured clothes made in Wiltſhire & Somerſetſhire, of ſhort clothes made of died wool, & mingled colours within Yorkſhire, of broad liſted whites & reds made in Wiltſhire, Glocesterſhire, Orfordſhire, & the Eaſt limits of Somerſetſhire, of narrow liſted whites & reds made in thoſe ſhires, of fine clothes with plaine liſts made in Wiltſhire, Glouceſter, & Orfordſhire, of clothes hauing ſtop liſts, of Mauntons, Bridgewaters, and Duſters, of narrow clothes made in Somerſetſhire, of broad clothes & narrow clothes made in Yorkſhire, of Deuonſhire kerſies called dozens, of checke kerſies, of ordinary penſtones or forreſt whites, of ſorting penſtons, of cogware, kendall, & carptmeales, of wath whites made in Yorkſhire & Lancaſhire. The penalties for rowing or raſing of cloth, or of the liſts of cloth, or cutting ỳ woll from the backes, or for blowing of cloth. In what cloth Flore, Thrummes, or lambes woll may be put, and the meane to know it. Places where wadnals, flannell, couerlets & blankets be made. The forfeitures where ỳ cloth is lõger then is appointed, & where it wanteth weight or breadth. A repeale of former ſta-

ſtatutes concerning the length, breadth, & weight of cloth, & of certaine of their penalties giuen to other perſons: Of ſearching & ſealing of cloth, and of faultie clothes not certified by them: Of duties and paiments for broad woollen cloth: euery Clothier may make any kind of cloth. The K. duties & his officers reſerued. AB. Draperie 129. &c.

3 If the plaintife in an action of treſpas, or Eiectione firme &c. be nonſute, or that the verdict doth paſſe againſt him, the defendant ſhall recouer coſtes againſt him. AB. Damages 6. Coſtes of ſute

4 None ſhall ſell Ale or Beere to an Alehouſe keeper, not hauing a licence, other then for the expence of his houſhold only. AB. Alehouſe 10. &c. Selling of ale

5 The penalties of a drunkard for his firſt offence, and for his ſecond offence, and of him that continueth drinking in an Alehouſe in the towne where he dwelleth. AB. Drunkenneſſe. A drunkard.

6 No perſon ſhall incurre any penalty for houſing, ſelling, or buying of any tanned ſhæpeſkins vnſearched or vnſealed, ſo as they be conuerted into made wares within this Realme. No Leather ſhall bee ſold by weight. AB. Leather 36. 54. Shæpeſkins.

7 Whereas Hugh Weſtwood of Chedworth in the county of Glouceſter, Eſquire, deceaſed, by his laſt will & teſtament in writing, bearing date 1. die Maij, an. 1. El. did wil, bequeath, & deuiſe to Edmund Lo. Chandos, & 11. others, & to their heires & aſſigns for euer, the rectorie & parſonage impropriat of Chedworth aforeſaid, whereunto the preſentation of the vicarage of Chedworth aforeſaid is belonging: and one meſuage, one cloſe, & two yard land & a halfe, in Chedworth aforeſaid: To the only vſe & intent, ỹ the ſaid deuiſees, their heirs & aſſignees, with ỹ profits thereof, ſhould found, erect, and maintain a Grammar ſchoole for euer in ỹ towne of Northleech. By which will, the nomination of the ſchoolmaſter of the ſaid ſchoole was appointed to ỹ heires of the deuiſor, & the determination of all doubts was referred to the Juſt. of Aſſiſe of ỹ ſaid county of Glouceſter: after which, the laſt ſuruiuing deuiſee ſeeking to defraud ỹ truſt in him repoſed, made a leaſe to one of his own ſons of ỹ ſaid parſonage & other the premiſſes for a very ſmall rent, & conueied the inheritance of ỹ reuerſion therof to another of his ſons: and the heire of the deuiſor entred vpon the ſame parſonage &c. challenging the ſame as heir to the deuiſor, & ſeeking to impeach ỹ ſaid wil. Wherfore vpõ cõplaint made by the ſchoolmaſter & inhabitants of Northleech aforeſaid, firſt in the Chancery, & after in parliamẽt, it was enacted, That the ſchoole of Northleech aforeſaid ſhalbe incorporated & founded in name & deed a body politique & corporate, to haue continuance for euer, by the name of the ſchoolmaſter & vſher of the free Grammar ſchool of Hugh Weſtwood eſquire, in the town of Northleech, & by ỹ name ſhall hold all & euery the ſaid parſonage & premiſſes, lands &c. intended by the ſaid Hugh & inhabitants of Northleech to ỹ ſaid ſchoole (the patronage of ỹ vicarage of Chedworth only except) & the reuerſion of the ſame, & euery rent reſerued vpon any demiſe therof. And by the ſame name ſhal haue ability & capacity to demiſe & grant their poſſeſſions, & to take & purchaſe, ſue & be ſued, & to performe euery other lawfull act, good or profitable for ỹ ſaid incorporation, as any other incorporation, body politique or corporat may do. And ỹ William Lickbarrow ſhalbe the firſt ſchoolmaſter, & Iohn Stone the firſt vſher of the ſaid ſchoole: and ỹ they the ſaid William & Iohn & their ſucceſſors ſhal haue a cõmõ ſeal for ỹ making of their leaſes, & doing of euery other thing aforeſaid, in wch ſeale ỹ name & arms of Hugh Weſtwood ſhalbe ingraue. And ỹ prouoſt & ſchollers of M. colledge in Oxford, & their ſucceſſors ſhal nominat vnder their colledge ſeal a ſchoolmaſter, a graduat of ỹ ſame vniuerſity, & an vſher trained vp in learning in the ſame vniuerſity, as oftẽ as ſuch place ſhalbe The Schoole of Northleech in the Countie of Glouceſter.

void by death, Reſignation, Depriuation, or otherwiſe, within one moneth after the voidance of the ſame place. And if they doe it not within one moneth, then the Iuſtices of Aſſiſe of the ſaid County ſhal make the ſame nomination within one moneth after that by their writing, of ſuch like man as is aforeſaid. The ſaid Prouoſt and Schollers of Quænes Colledge ſhal haue authority vnder their Colledge ſeale to preſcribe ſuch Orders, Rules, Statutes, and Ordinances, as to them ſhall ſeeme meet, for order and gouernment of the ſaid Schole, and of the Schoolemaſters, Vſhers, and Schollers thereof, which ſhal ſtand in full force & ſtrength in law: ſo that they be not repugnant to the Kings Prerogatiue, nor to the lawes or ſtatutes of the Realme, nor to any Eccleſiaſticall Canons. And they ſhall haue authority to viſit the ſaid Schole, and to reforme all abuſes touching the gouernment of the ſame, and to depriue the Schoolemaſters & Vſhers thereof, as to them ſhall ſeeme iuſt: So that the viſitation be by the Prouoſt himſelfe, and one of the Fellowes, or by two of the Fellowes at the leaſt. All Controuerſies that ſhall ariſe betweene the ſayd Prouoſt & Schollers, & the ſaid Schoolemaſter or Vſher, or the inhabitants of ỳ ſaid towne of Northlæch, or either of them, ſhalbe decided by the Iuſt. of Aſſiſe of the county of Glouceſter, by writing vnder their hands and ſeales. The ſaid Prouoſt & Schollers ſhall haue to them and their ſucceſſors for ever the patronage of the Vicarage of the Church of Chedworth aforeſaid, and may preſent their Clerke ſo often as it ſhall become void. All Leaſes, Conueiances, and Eſtates to be made of the ſaid Parſonage, and other the premiſſes, or of any part thereof, ſhalbe void (other then leaſes for yéres) whereupon ſhal be reſerued to the Schoolemaſter & Vſher, for the ſaid Parſonage, the yéerely rent of 50. l. or more: and for the Meſuage and other the premiſſes, xxvj. s. viij. d. paiable at foure vſual Feaſts in the yéere, whereunto the ſaid Prouoſt & Schollers vnder their Colledge ſeale ſhall giue their conſent. No Leaſe to bée made of the premiſſes ſhalbe good any longer then ſuch Schoolemaſter as ſhal make ſuch leaſe ſhall continue Schoolemaſter there: ſauing one leaſe to be made before 25. die Martij, Anno Dom. 1610. for 21. yéres, or thrée liues, vpon the rents aforeſaid, for the raiſing of a fine, therewith to diſcharge former titles thereunto. And the Prouoſt and Schollers aforeſaid ſhall vnder their Colledge ſeale ſet downe and appoint, how the rents and profits of the premiſſes ſhall be diuided and proportioned betweene the Schoolemaſter & the Vſher, ſo as the whole bée diuided betweene them. This Act ſhall not make void a leaſe of the parſonage & premiſſes made to Iohn Stone and Thomas Hyll for terme of yéres, whereupon is reſerued 50. l. rent yéerely: Nor to defeat an annuitie of 30. l. yéerely, ordered & decréed to Euſtace Apparrie, ſonne of Thomas Apparrie, the ſuruiuing deuiſée of the forenamed Hugh Eſtwood. Sauing to the King & al others all ſuch Right, Title, Eſtate, Condition, Profites, and Demands, which they or any of them ſhall or ought to haue in the ſaid Parſonage, and other the premiſſes. HR.

Controuerſies ſhall be decided by the Iuſtices of aſſiſe.

The patronage of the vicarage of Chedworth.

What aſſurances ſhalbe good, and what not.

How long the leaſes ſhall continue.

A former leaſe and Annuitie.

Others rights ſaued.

Approuing of Leſne marſh.

8 It ſhall bée lawfull for William Burrell of Ratliffe, in the Countie of Middleſex, Gentleman, his Heires, Executors, and Aſſignées, and for his and their Seruants, Deputies, Carpenters, and Workmen, and his & their Carts and Carriages, at his and their coſts, at all times vntill the tenth day of October, which ſhall bée Anno Dom. 1609. to inne, fence, and win from inundation and ouerflowing of the Riuer of Thamiſe, all and ſingular the grounds and marſhes lying in the drowned marſhes of Leſnes and Fants now ſurrounded, according to the purport and effect of certaine Indentures made betweene the lords & owners of the ſame ſurrounded grounds and him, and to labour, doe, and accompliſh things neceſſary during the ſayd time, about 23. Eliz. 13. 27. El. 27.

about the inning, winning, and fencing of the ſaid grounds and marſhes: And for the inning, fencing, maintaining, and continuing of the ſame, to cut and take ſo much growing reed and earth in any part of the ſaid drowned marſh, ſo that hee or they digge not within xx. rods of any wall alreadie made within that marſh. And immediatly after the ſubſtantiall inning, fencing, and winning of the ſaid grounds and marſhes from the water, and floudes, the ſaid William Burrell, his heires and aſſignées ſhall haue and enioy to him, his heires & aſſignées for euer, the one halfe of the ſaid ground to be inned, according to the meaning of the ſaid Indenture: and the other moitie ſhall bee to the owners of the ſaid marſh ground ſo to be inned, according to the ſeuerall proportion of their quantities, eſtates, rights, titles, and intereſts which they now haue in the ſaid grounds to be inned. And the ſaid moitie aſſigned to William Burrell, and his heires and aſſignées, after partition, ſhal be holden of Edmond Cooke Eſquier, as of his manner of Leſnes and Fants in the countie of Kent, in free Socage, by fealtie, and one peny rent for euery acre, and not in chiefe, or by Knights ſeruice. And the ſaid marſh ground ſo to bee inned ſhall be diſcharged of all tithes and tenthes during ſeuen yeares next after the winning and fencing of the ſame. And after the inning of the ſaid marſh ground the Lord Chauncellor will vpon ſuit graunt a Commiſſion to certaine perſons, to make partition betweene the ſaid inner and the owners of the ſaid grounds, according to the ſeuerall proportion of their quantities, rights, titles, and intereſts. Aſwell the ſaid inner as euerie owner, ſhall haue conuenient wayes and paſſages thorough their ſaid groundes. The owners parts inned, ſhall bee holden of Edmond Cooke, as of his foreſaid Manor, as they are now holden by fealtie, and a peny an acre, to be paid at the Feaſt of S. Michael the Archangell yearely. HR.

9 The Statute made Anno 3. Iac. 6. whereby all Marchants be ſet at liberty to trade into Spaine, and from Spaine, Portugall, and Fraunce, notwithſtanding a Charter of incorporation graunted by the King, vnder the great Seale, to diuers Marchants and their companie, onely to trade thither, neither doth, nor ſhall diſſolue, adnihilat, or impeach the Charter graunted by Q. Elizabeth to the Maior and principall Citizens of the Citie of Exceſter, or the ſaid company, in any of their priuiledges or liberties graunted vnto them by the ſaid Charter, AB. Merchants 19. The liberties of Marchants of Exceſter.

10 Whereas King Henry the firſt did graunt to the Maior, Bailifes, and Burgeſſes of the towne of Southhampton, and their ſucceſſors, a Charter (which hath beene ſince confirmed by manie other Princes) reſtraining all Marchants not beeing free of the liberties of the ſaid Towne, to buy or to ſell any manner of marchandiſe within the ſaid Towne, or the Liberties thereof, vpon paine of forfeiting the ſaid marchandiſe, to the ſaid Maior, Bailifes, and their ſucceſſors. Now it is enacted, that ſo much of the ſaid Charter, as doth concerne the premiſſes, ſhal from henceforth ſtand and be good and effectual in the law, to all intents, according to the true meaning of the ſaid Charter, and that the ſame be confirmed by this Parliament. No perſon not beeing free of the ſaid Towne, ſhall buy any marchandiſes within the ſaid Towne, or the Liberties thereof (Salt and Sea fiſh onely excepted) of any other, not beeing free of the ſaid Towne, nor ſell any marchandiſe (Salt and Sea fiſh onely except) within the ſaid Towne, or the Liberties thereof, to any perſon or perſons not beeing free of the ſaid Towne, vpon paine of forfeiture of all ſuch marchandiſe, ſo bought, or ſold, to the Maiors, Bailifes, and Burgeſſes of the ſaid Towne, and their ſucceſſors. But any perſon may buy within the ſaid Towne, or Liberties, any prouiſion for his owne houſe, ſo as the ſame bee expended Liberties granted to Southhampton, confirmed

pended there, and not in any ſort ſold againe. And any perſon may buy and ſell in the time of Faires there, or aboard any ſhip within the Port of Southhampton, of any perſon whatſoeuer. Prouided, that this Act ſhall not extend to the Barons, or the free men of the Cinque Ports, or of the members to them belonging: but euery of them ſhall enioy ſuch Liberties within the ſaid towne of Southhampton, and the Liberties thereof, as heretofore haue béene graunted to the ſaid Ports.

The Cinque Ports.

Warden, Wodenham, Wellington, Sutton, Murton. Pipe.

Inclosure of a third part.

11 Euerie owner and farmer, their heires, ſucceſſors, and aſſignées of any Mannors, Capitall meſſuages, Tenement, or Farme, within the Mannors, Lordſhips, and Pariſhes of Warden, alias Hawarden, Wodenham, Wellington, Sutton S. Michael, Sutton S. Nicholas, Murton vpon Lugge, and in the Pariſh of Pipe, in the Countie of Hereford, or any of them, that haue not alreadie ſo much of their land, medow and paſture, belonging, or occupied to, or with their ſeuerall meſſuages, tenements, or farmes incloſed and kept in ſeuerall, as doth amount to the cléere third part thereof, may at his and their pleaſure ſeuerally, and reſpectiuely at all times hereafter incloſe and kéepe in ſeuerall, ſo much of their ſaid lands, medow, and paſture, now at the firſt day of this Seſſion of Parliament, belonging, or occupied to, or with the ſaid ſeuerall meſſuages &c. as together with ſuch thereof as they hold alreadie in ſeuerall, ſhall amount vnto, and make vp a cléere third part of all the lands, medow, and paſture, which they doe, or ſhall ſo there hold, belonging, or occupied, to or with the ſaid ſeuerall meſſuages, or &c. to be holden and kept in ſeuerall, to the maintenance of Tillage of the arrable lands belonging or occupied to or with the ſaid ſeuerall meſſuages, &c. reſpectiuely, according to the eſtates of them that are ſeuerally intereſted in the ſame, leauing the other two parts thereof, in three parts to be diuided, ſeuerally and reſpectiuely to lie, and continue as the ſame haue heretofore vſed to lye. But this ſhall not extend to any ancient Walkes and Common ground, that hath béene vſed to be a perpetuall Common, and Waſt ground by all the yeare, for that ſhall ſo remaine ſtill as a perpetuall Common. Prouided alwayes, that this Act ſhall not extend to ſuch land, hereby to be kept in ſeuerall, where any perſon hath or ought to haue the hay or firſt veſture or paſture onely, of any land, medow, or paſture, whereof the inhabitants of the Towneſhip, or Pariſh where the land doth lie, haue vſed to haue ẏ whole latter math, latter crop, or edgegrouth thereof to themſelues, and the owner of the ſaid hay, firſt veſture, or paſture, no part of the latter math &c. But thoſe which haue ſo had, and vſed to haue the ſaid latter math, &c. who enioy the ſame, in ſuch manner as they haue accuſtomed. This Act ſhall not helpe them who come into their lands by a wrongful title. No perſon ſhall be hindered or ſtopped of his lawfull way, by reaſon of ſuch incloſure. Euerie perſon that ſhall incloſe or kéepe in ſeuerall any land, &c. by vertue of this Act, ſhall be abated of his common in the common fieldes, and common paſture, belonging to the ſaid Townes proportionable, after the rate and qualitie of the lands ſo to be kept in ſeueraltie: But he may haue his common in places comminable there ratably for the reſidue of his lands. The freeholders and Copiholders of euerie of the ſaid Townes reſpectiuely, their heires, and aſſignées, or the greater number of them, may from time to time, rate, and ſtint euerie perſon, his heires and aſſignées, which ſhall incloſe, and keepe in ſeuerall land, medow, or paſture, by vertue of this Act, what, and how many cattell of all kinds, ſuch perſon, his heires and aſſignées, ſhall kéepe vpon the commons of the ſaid Mannor, Pariſh, or Towne, where ſuch land ſhall be incloſed and kept in ſeuerall. And hée that ſhall kéepe more cattel than ſhall bée ſo rated, ſhall forfeit for euerie beaſt which hée ſhall kéepe aboue ſuch ſtint,

Antient walks

The firſt crop

Highwayes.

Abatement of Common.

Stinting of Inclosures.

ſtint xij.d. for euerie weeke, wherof the one halfe to the poore of the Parish, and the other halfe to the Lord of the Manor. And euery L. of any of the ſaid Manors, and their Stewards, ſhall haue authoritie within their Leets & court barons, to inquire & take Preſentments by the othes of Iurors, of euery offence committed, & leuy by diſtreſſe all ſuch ſummes of money as ſhall be forfeited, and ſhall within one weeke pay the moitie thereof to the Churchwardens and Ouerſeers of the Parish where the offence ſhalbe committed to the vſe of the poore of the ſame Parish. But if a man build a cottage, vpon any of the land ſo to be kept in ſeueraltie, or ſhall lay any of the ſaid lands to a cottage for habitation, & diſmember the ſame from the meſſuage to which it is now belonging, then the L. of the ſaid Manor, or his officers, or the homage may by the order of the court of the ſaid Manor, lay open & into common the ſame land at Summer ſeaſons of the yeare, in ſuch maner as the ſame was formerly vſed. Prouided neuertheleſſe, that the latter math, or later crop of the medows, and paſtures, called Simdel, Whitterday, Dole medow, the Groues, the Old lands, the Weſtheyes, and the Wirgins, & certaine ſmaller medowes and paſtures to them ſeuerally adioyning, ſhall and may be hayned, incloſed & vſed yearely for Oren & Kine, after Harueſt, as moſt commonly they haue been. And that this act ſhall not extend to alter the vſage of the great medow, in or neere Sutton S. Michael, & Sutton S. Nicholas aforeſaid, called Lug medow, or any part thereof, otherwiſe than it hath beene vſed. This Act to continue but to the end of the laſt Seſſion of the next Parliament. HR.

Ouer charging his ſtint.

Laying the lands to a cottage.

The later crop of grounds

Lug medow.

12 At any time or times after the the laying out of ſuch conuenient limits of ground for the making of the trench, or conueyance of water to the North parts of the Citie of London, at the breadth of x. foot, & not aboue, as to the Maior & Comminaltie, & Citizens of the ſaid Citie of London, & their deputies and workemen with the Commiſſioners in the Act of 3. Iac. mentioned, or any ſeuen of them, ſhal be ſeene conuenient for the ſame, and in that place that they ſhall find to be moſt apt & meet for that purpoſe, according to the true meaning of the ſaid Stat. The Maior & Comminaltie, and Citizens of the ſaid Citie of London, & their ſucceſſors, deputies and workemen, for the conſideration in the ſaid former Act expreſſed, ſhall haue libertie not only to dig the ſame ground to be imploied for the ſaid riuer, or new cut, as in the ſaid former Act is expreſſed, but alſo in the ſame place where they ſhal think moſt meet for the ſaid new cut, or paſſage of water, to frame, erect, & make a trunke or vault of bricke or ſtone, for the paſſage of the ſaid water to the North parts of the ſaid Citie of London, not exceeding x. foot in breadth, in ſuch maner and forms to be laid vpon earth, or vpon arches, as to the Maior, &c. ſhall ſeeme meet. And from time to time for euer to maintaine, & preſerue the ſame trunke or vault, and to that purpoſe to haue like libertie, & free paſſage to and from the ſaid trunk or vault, for making, erecting, maintaining, and preſeruing thereof, from time to time for euer, as they might haue had by the intent of the ſaid former Act, to or from the ſaid new cut, or riuer, with men, horſes, cart, & carriages, at all times conuenient, & in places conuenient for the making of the ſaid new cut or trench, and for the preſeruing of the ſame from time to time. Any thing in the ſaid former ſtatute &c. notwithſtanding. HR.

I meane to bring water to London.

Stat. 3. Ia. 18

13 Francis Tindall Eſquier, Henry Farre, & John Cooper Gentlemen, (who haue vndertaken to do their beſt endeuor to effect at their own coſts and charges, the draining of certaine Fennes, and low grounds within the Iſle of Elie, ſubiect to hurt by ſurrounding, for the conſiderations hereafter mentioned) their heirs & aſſignees, ſhall haue full power by vertue of this Act, during ſix yeres next enſuing the end of this Seſſion of Parliament, to drayne al the

fences

Draining of Fennes in the Isle of Ely.

fences & low grounds, subiect to hurt by surrounding in the said Isle of Ely, that lye & be inuironed with ẏ banks, beginning at Kekes Hill, & from thence by Mower house, to Hobs house, & so to Tilney Hurne, from thẽce by Maries Damme, & so by Elme Leame to Friday Bridge, & from thence by Redmore Dike, & Begdale, & so by Gold dike to Kekers mill againe. And for the doing therof to make of new, or to repaire in al places nædful, such & so many drains, loads, dikes, banks, sluces, & other works of Sewers, as they shall think meet (not being in marsh land within the old Powdike) for conueying to the sea as well of the sock & downfall, as of the ouerflowing of riuers & land flouds, satisfying the owners of such seuerall as they shal cut, & such persons as they shal otherwise damnifie, such mony, or other valuable recõpence, as by sir Commissioners of Sewers at ẏ least, whereof iij. inhabiting within the said Isle, & iij. within the county of Norfolke, shalbe ordered & set down. Immediatly after ẏ said grounds shalbe drained, according to the true meaning of this Act, ẏ said

The vndertakers reward.

vndertakers, their heirs and assignes, for & in consideration therof (& of ẏ perpetuall maintaining & preseruing of the same draining, as in this Act is hereafter mentioned) shall haue, hold, and enioy, to them, their heires and assignes, for euer in seueralty, two ful parts in iij. to be diuided of all the said Fennes & low grounds, the same to be set out by metes & bounds before the feast of S. Michael the Archangell, which shalbe Añ Dom̃ 1608. by ẏ seuerall owners of the said Fennes & low grounds, or in default of any of them, then at any time after by sir Commissioners of Sewers at ẏ least, whereof iij. inhabiting within the said Isle. And ẏ said ful y. parts shalbe held of the seuerall lords of whom the same are now holden in free & common Socage, by fealtie only, for al manner of seruices, and not in Capite, nor by Knights seruice. And likewise ẏ said y. full parts shalbe freed for paying any maner of tithes vntill the feast of S. Mich. the Archangel next ensuing the end of by. yeres after the time limitted for the drayning aforesaid. Prouided neuertheles, that if any of the said fennes or low grounds, after they be drained, shalbe againe surrounded, in default of the said vndertakers, their heirs, or assignees, and so to continus at any time betwæn the feast of S. Mich. the Archangel, & the Annunciation of the blessed

Grounds drained againe drowned.

Virgine Mary, then next following, by ẏ space of y. moneths together, or do so continue at any time betwæn the feast of the Annunciation &c. and the feast of S. Mich. then next following, by the space of one moneth together, & not in the meane time amended by the said vndertakers, their heirs or assignees, That then & so often it shall & may be lawful for euerie owner of the grounds so surrounded, and not amended, by the view and appointment of sire Commissioners of Sewers at the least, whereof foure inhabiting within the Isle of Ely, being assẽbled for that purpose, to enter into the full y. parts which were diuided and set forth from his grounds so surrounded, for the said vndertakers, as aforesaid, and the same to haue and enioy according to his former title, estate, and interest, vntill the same Fennes and low grounds so surrounded, shall bee recouered againe, by new draining, or repaire, at the costs and charges of the said Undertakers, their heires or assignes. Prouided also, that the authoritie giuen by this Act to the said Undertakers, their heires or assignes, for the

Other mens grounds.

drayning of the said grounds, shall not extend to giue any power to cut and draine thorow any other groundes in any other manner, than by the lawes and Statutes of this Realme heretofore made, they may lawfully do.

FINIS.

An Abridgement of all the Statutes,

whereof the whole or any part is generall, in force, and vſe, with certaine Queres, Cautions, and Aduertiſements *of ſuch things that be doubtfull, together with the Authoritie and Duetie of* Iuſtices, Sherifes, Coroners, Eſcheators, Maiors, Bailifes, Cuſtomers, Stewards *of Leets and Liberties, and what things by ſeuerall Statutes in force they muſt, may, ought, or are compellable to do.*

Abilitie & non Abilitie.

ANNO 25. Ed. 3. It was agréed in Parliament, that the Law of the Crowne of England is, and alway hath béene ſuch, that the children of the King of England, in whatſoeuer parts they be borne, in England, or elſewhere, be able and ought to haue the inheritance after the death of their anceſtors: the which Law was confirmed by the ſaid King Ed. 3. the Lords and Commons there aſſembled, to remaine for euer. And in the right of other children borne out of the legeance of England, in the time of the ſaid King Edw. 3. it was there agréed, that Henry ſonne of Io. of Beaumond, Eliz. the daughter of Guy of Brian, and John the ſonne of Ralfe Daubney, and others which the ſaid King Edw. 3. would name (the which were borne beyond the Sea, without the legeance of England) ſhould be from thenceforth enabled, to haue and enioy their inheritance after the death of their anceſtors, in all parts within the legeance of England, as well as thoſe which ſhould be borne within the ſame legeance. Kings children borne beyond Sea, inheritable in England

2 And it was then further enacted, that all children inheritable which ſhould be borne without the Kings legeance, which childrens father and mother, at the time of their birth, ſhall be vnder the faith and legeance of the King of England, ſhal enioy the ſame benefits, to haue and take inheritance within the ſame legeance, as other the aforeſaid inheritors, ſo that the mothers of ſuch infants doe paſſe ouer the Sea, by the licence and good wills of their husbands. And if it bee alledged against any ſuch borne beyond the Sea, that he is a baſtard, in caſe where the Biſhop ought to take cogniſance of Baſtardie, the biſhop of the place where the land demaunded is, ſhall be commaunded to certifie the Kings Court where the plee dependeth, as in auntient time it hath béene vſed, in caſe where Baſtardie is alledged againſt them which bée borne in England. 25. Edw. 3. Stat. 2. de natis vltra mare. 42. Edward. 3. 10. Children inheritable where their mothers paſſe the ſea, by licence of their huſbands. Triall of Baſtardy pleaded against him which is born beyond the ſea

3 By the Statute made 31. H. 8. 6. all religious perſons profeſſed, as well men as women, which were or after ſhould be ſet at libertie, by ſuppreſſion, diſſolution, &c. of their Monaſteries, Abbies, Priories, &c. (or which were tranſlated from one corporation to another, 33. H. 8. 29. and the Prior, Brethren, or Confriers, of the Hoſpitall of S. Johns of Hieruſalem in England and Ireland, 32. H. 8, 24.) from and after the time that they were ſet at libertie, were enabled to purchaſe to them and Religious perſons enabled to inherit, purchaſe, ſue, and be ſued.

and their heires in fée ſimple, fée taile, for terme of life, yeres, or at will, any Manors, lands, tenements, rents, annuities, and other hereditaments and things whatſoeuer. And alſo to ſue, and to be ſued in all actions, plaints, and ſuits whatſoeuer, for any matter or cauſe growne, after the time of their ſeuerall deraignmẽts or departing out of their religion, in all Courts and places within the Realme, and to receiue, take, and enioy euery lawfull thing to them growne or happened, after their departing out of their religion, in as ample maner, as if they had neuer entred into religion. But by the ſaid ſtatute of 31. H. 8. and the ſtatute of 5. Ed. 6. 13. it was prouided, that none of the ſaid religious perſons ſhould bee taken and iudged as heire or inheritable to any perſon, by reaſon of any former right, title, intereſt or cauſe, had, made, diſcended, or growne, before their ſeuerall deraignement or departing out of Religion.

1 The examination of the abilitie of a Parſon preſented to a Benefice, doth pertaine to an Eccleſiaſticall Iudge. S. Eccleſiaſticall 3.

Abridgement of Plaints.

The plaintife in Aſſiſe, may abridge his plaint.

THe plaintife in euerie Aſſiſe, may at his pleaſure ſeuer and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in ſuch like maner as hée might do, in caſe that pléa in barre had béene made, and diuided to any certaintie or number of acres in the plaint. And the plaint for the reſidue of the part or parts of the lands not abridged, ſhall be and ſtand good in the Law, 21. H. 8. 3.

Actions Popular, Informations.

Actions popular ſued by colluſion.

IF an Action Popular be ſued againſt any man by colluſion, and the plaintife in the ſame do recouer againſt the defendant, or be barred, any other perſon may afterwards ſue againſt the ſame def. another Action Popular with good faith, and ſhal in the ſame recouer and haue execution, if the recouerie or barre in the firſt action be found to be by couin. And the def. being attainted of couin, ſhall haue two yeres impriſonment, by proces of Capias and Vtlagary, to be ſued within the yeare after iudgement giuen, or at any time after, vntill the def. be had and impriſoned, & that as well at the Kings ſuit, as at euery other perſons that will ſue in that behalfe. And no releaſe of any common perſon, made to any partie before, or after an action popular or indictment hanging, ſhall be auailable to let or ſurceaſe the ſaid action, indictment, proces, or execution.

No couin auerred where there hath béene triall.

Prouided alwaies, that no plaintife or plaintifes be in any wiſe receiued to auerre any couin in any Action popular, where the point of the ſame action, or els collusion haue béen once tried, or lawfully found, with or againſt the plaintif by triall of twelue men, and not otherwiſe. 4. H. 7. 20.

Within what time actions popular ſhall be ſued.

2 Al actions, ſuits, bils, indictments, or informations which ſhalbe had, brought, ſued, or exhibited, for any forfeiture vpon any ſtatute penall, made or to bee made, whereby the forfeiture is or ſhall be limited to the Quéene, her heires or ſucceſſors onely, ſhall be had, brought, ſued, or exhibited, within two yeres next after the offence committed, or to be committed againſt ſuch Act penall, and not after 2. yeres. And all actions, ſuits, bils, or informations, which ſhall be had, brought, ſued or cõmenced for any forfeiture vpon any penall ſtatute made or to be made, the benefit and ſuit whereof is or ſhall bée by the ſaid ſtatute limited to the Quéen her heirs or ſucceſſors, & to any other which ſhall proſecute in that behalfe, ſhalbe had, brought, ſued, or commenced by any perſon that may lawfully purſue for the ſame within one yeare next after the offence committed, or to be committed againſt the ſaid ſtatute, and in default of ſuch purſuit, then the ſame ſhall bee had, ſued, exhibited, or brought

brought for the Queen her heirs or succeſſors, at any time within two yeres after that yere ended. And if any action, ſuit, bill, indictment, or information for any offence againſt any penall ſtatute made or to be made, ſhalbe brought after the time in that behalfe before limited, then the ſame ſhalbe void & of no effect, any act or ſtat. made to the contrarie notwithſtanding. But where any action, information, indictment, or other ſuit, is or ſhall be limited by any ſtatute penal, to be had, ſued, commenced, or brought within ſhorter time then is afore rehearſed: in euery ſuch caſe, the action, information, indictment, or other ſuit, ſhalbe brought within the time limited by ſuch eſtatute. 31. Eliz. 5. S. Husbandrie 26.

3 Euerie Informer vpon any penall ſtatute, ſhall exhibit his ſuit in proper perſon, and purſue the ſame onely by himſelfe, or his Atturney in Court. None ſhalbe admitted or receiued to purſue againſt any perſon vpon any penal ſtat. but by way of information, or originall action, & not otherwiſe, nor ſhall haue ne vſe any deputie at all. And vpon euery ſuch information, which ſhall be exhibited, a ſpeciall note ſhall be made of the verie day, moneth, and yeare, of the exhibiting thereof into any office, or to any officer, which lawfully may receiue the ſame, without any manner of Antedate thereof to be made. And the ſame Information ſhall bee accompted to be of Record, from that time forward, and not before. No Proces ſhall be ſued out vpon any ſuch Information, vntill the Information bee exhibited in forme aforeſaid. And vpon euerie ſuch proces ſhalbe indorſed as wel the parties name that purſueth the ſame proces, as alſo the ſtatute vpon which the Information in that behalfe made, is grounded. And euerie Clerke making out Proces contrarie to the tenor and prouiſion of this Act, ſhall forfeit for euerie ſuch offence xl.s. to the Q. and the partie againſt whom any ſuch defectiue proces ſhalbe awarded, to be recouered in any Court of Record by Action, Information, &c. wherein no Wager, E. P. or I. &c. 18. Eliz. 5.

Information exhibited in proper perſon.
Information, or original action
No deputies.
A note of the day, moneth, and yeare.
Indorſement of the information.

4 No ſuch Informer or plaintife ſhall compound or agrée with any perſon that ſhall offend, or ſhalbe ſurmiſed to offend againſt any penall Statute for ſuch offence committed, or pretended to be committed, but after anſwere made in Court vnto ẏ Informatiõ, or ſuit in that behalf exhibited or proſecuted, nor after anſwer, but by the order or conſent of the Court, in which the ſame information or ſuit ſhal be depending, vpon paines and penalties hereafter declared. And if any ſuch informer or plaintife ſhall willingly delay his ſuit, or ſhall diſcontinue, or bee nonſuit in the ſame, or ſhall haue the triall or matter paſſe againſt him therein, by verdict, or iudgement of law: Then the ſame Informer or plaintife ſhall pay vnto the defendant his coſts, charges, and dammages, to be aſſigned by the Court, in which the ſame ſhalbe attempted. For the recouerie and execution whereof, euerie ſuch defendant, ſhall immediatly vpon the ſame coſts, dammages, &c. aſſigned, haue his Capias ad ſatisfaciendum, Fieri facias, or Elegit, to be awarded vnto him out of the ſame Court, in which the ſame ſhall bee ſo aſſigned, as in other caſes of Execution. 18. Elizab. 5.

No informer ſhall compound with the defendant, but by conſent of the Court.
Coſts & dammages, if the informer delay &c.

5 If any perſon or perſons (except the Clerkes of the Court onely, for making out of Proces, otherwiſe then is aboue appointed) ſhall offend in ſuing out of proces, making of compoſition, or other miſdemeanor, contrarie to the true meaning of this ſtatute, or ſhall by colour or pretence of Proces, or without Proces, vpon colour or pretence of any matter of offence againſt any penall Law, make any compoſition, or take any money, reward, or promiſe of reward, for himſelfe, or to the vſe of any other, without order or conſent of ſome of the Queens Courts at Weſtminſter, then he or they ſo offending, being thereof lawfully conuicted, ſhall ſtand on the pillorie in ſome market towne next adioyning, where the ſame offence ſhall be committed, in the open market time, and there remain by the ſpace of ẏ. howers: And ſhall after ſuch conuiction for euer be diſabled to purſue or bee plaintife, or informer

The puniſhment of the Informer offending.

former in any ſuit, or information vpon any ſtatute popular or penall: And ſhal alſo for euerie ſuch offence forfeit x.l. to the Qu. and the partie gricued, to be recouered by A.I.&c. wherein no W.&c. E.P. or Iniunction, &c. 18. Eliz, 5.

Statutes againſt Maintenance &c.

6 But it ſhall be lawfull for euerie perſon gricued by meanes of any maintenance, champertie, buying of titles, or imbracerie, to purſue vpon any Statutes prouided againſt maintenance, &c. as he might haue done before the making of this act. 18. Eliz, 5.

Penalties giuen to perſons certaine.

7 This act ſhall not extend to any ſuit depending (before the 8. day of Februarie 1575.) nor ſhall reſtraine any certaine perſon, body politike or corporate, to whom, or to whoſe vſe any forfeiture, penaltie, or ſuit, is, or ſhalbe ſpecially limited or grannted by any ſtatute, and not generally to any perſon that will ſue, but euerie ſuch perſon &c. may in ſuch caſe ſue, informe, &c. as he might haue done, if this act were neuer made. 18. Eliz. 5. 27. El. 10. S. I. of peace 57.

Informers reſtrained by order of court.

8 No perſon other then the partie grieued, ſhalbe receiued to informe or ſue vpon any penall ſtatute, that before that time hath bin for any miſdemeano^r by any order of any of the M. courts ordered not to follow or purſue any ſuit vpon any penall ſtatute. 31. Eliz. 5.

The countie expreſſed where the offence was done.

9 In any declaration or information to be had, brought, ſued, or exhibited, the offence againſt any penall ſtatute, ſhall not be laied to be done in any other county, but where the cõtract or other matter alleaged to be the offence, was in truth done. And euerie defendant in ſuch action or information ſhall & lawfully may trauerſe and alleage, that the offence ſuppoſed by the ſame ſuit to bee committed, was not committed in the Countie where ſuch offence is alleaged: which being tried for the defendant, or if the plaintife be thereupon nonſuit in his Information or ſuit, then the plaintife ſhalbe barred in that action or information, any law or vſe to the contrarie notwithſtanding. 31. El. 5.

Certaine offences whereupon information may be in any Countie.

10 This act ſhall not extend to the laying or alleaging of any offence in any declaration or information, for or concerning any champertie, buying of titles or extortion, or any offence committed or to be committed againſt the ſtat. made Añ 1. Eliz. intituled, An Act limiting the times for laying on land, marchandiſe from beyond the ſeas, & touching cuſtoms of ſweet wines: And one other Act made in the ſaid Añ 1. El. intituled, An act of a Subſidie of tonnage and pondage, or any thing in any of them contained, or for the concealing or defrauding the Qu. her heirs or ſucceſſors, of any cuſtom, tonnage, pondage, ſubſidie, impoſt, or priſage, or for any matter of corrupt Vſury, or for any offence comprized in any ſtatute made, or to be made againſt ingroſſing, regrating, or foreſtalling, where the penalty or forfeiture ſhal appeare to bee to the value of xx.l. or aboue. But euery ſuch offence ſhal or may bee layd in any County at the pleaſure of any ſuch Informer, Any thing in this act &c. notwithſtanding. 31. El. 5.

Offences onely punishable at the Seſſions, Aſſiſe, or Leete.

11 All ſuits to be purſued vpon any ſtatute for vſing any vnlawfull game, or for not vſing any lawfull game, or for not having bowes and arrowes according to the Law, or for vſing any art or myſterie in the which the partie hath not bæne brought vp, according to the Statute in that behalfe made, ſhall bee ſued and proſecuted in the generall Quarter Seſſions of the Peace, or Aſſiſe of the ſame countie where the offence ſhalbe committed, or otherwiſe enquired of, heard and determined in the Aſſiſes, or general quarter Seſſ. of ỹ peace of the ſame Countie, where ſuch offence ſhalbe cõmitted, or in the Leet within which it ſhall happen, & not in any wiſe out of ỹ ſame county, where ſuch offence ſhal happẽ to be cõmitted 31. El. 5

Officers vſing to exhibit Informatiõs.

12 The foreſaid acts (of 18. Eliz. 5. 27. Eliz. 10. 31. El. 5.) ſhall not extend to any ſuch officer of Record, as haue in reſpect of their offices heretofore lawfully vſed to exhibite Informations, or ſue vpon penall Lawes. But they and euerie of them may informe and purſue in that behalfe, as they might haue done. Any thing

thing in theſe Acts, &c. notwithſtanding. 18. Eliz. 5. 27. Eliz. 10. 31. Eliz. 5.

1 The defendant ſhall be admitted to haue a *Tales de circumſtantibus* in actions popular. S. Iurors 26.

2 The Iurie in ſuits vpon penall Lawes, ſhall not bee compelled to appeare at Weſtminſter. S. Iurors 31.

3 Certaine Iuſtices haue authoritie to heare and determine offences committed by Informers. S. Iuſt. of Peace.

Accomptants and Debtors to the King.

ALl Obligations and ſpecialties, which ſhal be made for any cauſe in any wiſe concerning the King, or his heires, or to his or their vſe, commoditie, or behoſe, ſhall be made to him and to his heires, Kings or Queenes in his or their name, by theſe words, Domino Regi, and to none other perſon to his vſe, & to be paid to him by theſe words, Soluend eidem domino Regi, heredibus vel executoribus ſuis, with other words vſed in common Obligations. And if any perſon make or take any Obligation to the K. vſe in any other maner, he ſhal ſuffer ſuch impriſonment, as ſhalbe adiudged by the Kings Counſell. And all ſuch Obligations and eſpecialties to be made, ſhalbe effectuall in the Law, to all purpoſes, and ſhall bee in the ſame nature and effect, to all intents, as the writings obligatorie taken and knowledged, according to the ſtat. of the Staple at Weſt, haue at any time bẽ taken and executed againſt any lay perſon. 33. H. 8. 39. The forme & effect of obligations made to the King. In obligation made to the K. is in the nature of a ſtatute ſtaple.

2 All ſuch Obligations and eſpecialties, the debt wherof being not paid nor contented in the life of the King or Quẽne, ſhal remaine and be to the heires of the K. or Q. at the frée libertie and appointment of the ſame K. or Q. &c. to whom the ſame ſhall be made. 33. H. 8. 39, Who ſhal haue the K. debts.

3 The K. in al ſuits to be takẽ vpon any ſpecialty made to his grace, or to any to his vſe, ſhall recouer his iuſt coſts and damages as other common perſons vſe to do in ſuits for their debts. 33. H. 8. 39. The K. ſhall recouer coſts & damages.

4 In all actions, and ſuits to bee taken or purſued in any of the Courtes of the Erchequer, Dutchy of Lancaſter, or Wards and Liueries for the recouerie of any debt, which ſhall appertaine, accrue, or be to the K. by reaſon of any attainder, outlawrie, forfeiture, gift of the partie, or by any other collaterall meanes: It is ſufficient to alleage in the ſaid ſuit generally, that the partie to whom the ſaid debt was due or did belong, ſuch yere and day did giue the ſame debt to the K. or was attainted, outlawed, or other offence, forfeiture, or thing committed, by reaſon whereof the ſaid debt did accrue, and ought to remain and come to the K. and the ſame matter ſo alledged in generaltie, without ſhewing the circumſtance therof, ſhal be of as good effect in the law to all intents, as if the whole matter were alledged in euerie point. 33. H. 8. 39. Debts due to the K. by attainder, forfeiture, gift, &c.

5 If any ſuit be commenced, or any Proces be awarded for the K. for the recouerie of any his debts, the ſame ſhal be preferred before the ſuit of any other perſon, and the K. his heirs & ſucceſſors, ſhal haue firſt execution againſt any defendant for his ſaid debts before any other perſon, ſo alwayes that his ſuit bee commenced or Proces awarded for the ſaid debt at the ſuit of the K. &c. before Iudgement giuen for the ſaid other perſon. 33. H. 8. 39. And if the K. debtor do die, the K. ſhall be firſt paid his whole debt. Mag. Chart. 9. H. 3. 18. The K. ſuits ſhalbe preferred.

6 All Manors, lands, &c. and hereditaments, the which ſhall come or be in or to the hands or ſeiſin of any perſon to whom the ſame ſhal deſcend, reuert, or remaine in fée ſimple, or fée taile, generall or ſpeciall, by, from, or after the death of any of his auncеſtors as heire, or by the gift of any his auncеſtors, whoſe heire hée is, which ſaid auncеſtor ſhall be indebted to the K. or to any other perſon to his vſe, by Lands entailed, chargeable to the paiment of the K. debts

Iudgement, Recognisance, Obligation, or other speciall tie, the debt whereof shall not be contented and paid, then in euerie such case the same Mannors, landes, &c. shalbe and stand charged, to and for the paiment of the same debt, and of euery part thereof. And our said Soueraigne Lord, his heires and successors, shall not be barred or delaied to demand, haue, and receiue, his lawfull debts, and duties against any his subiects, as heire or heires to any person indebted to his highnesse, or to other persons to his vse, albeit this word (Heire) be not comprised in such recognisance, obligation, or specialtie: or that any such person shall alleage that he hath not any manors, lands, or hereditaments, to him descended, but onely such as bee entailed or giuen to him by any his auncestors to whom he is heire. But the K. his heires and successors, may at his &c. libertie and pleasure, demand and recouer his said debt against any executor or executors, administrator or administrators, of any such person indebted, if he or they shall haue assets in his or their hands in deed, or in Law. 33. H. 8. 39.

Specialties made to the K. without this word (Heire.)

The K. may recouer his debt against the executor.

7 But if the said manors, lands, and hereditaments, or any of them, shall be recouered from the possession of any such person, by any iust or former title, without fraud or couin, which be chargeable as is aforesaid, then they shall bee clearely discharged of the paiment of the said debts, and of euery part thereof. 33. H. 8. 39.

Lands recouered by former title.

8 If any person of whom any such debt or dutie shall bee demanded, do shew in any of the said Courts, sufficient matter in law, reason, or good conscience, in discharge of the said debt, or why such person ought not to be charged with the same, and the same matter so shewed be sufficiently proued in such one of the said Courts as he shalbe impleaded or troubled for the same, then the said Courts haue ful power to allow the same prowse, and clearely to discharge euerie person that shalbe so impleaded. 33. H. 8. 39.

Upon sufficient matter proued the Court may discharge the supposed debtor.

9 If any lands &c. which shall be charged, to, or with the debt of our said Soueraigne Lord, his heires or successors, shall be in the seisin of diuers persons, other then the obligor, or obligors, then all the said lands, &c. and euerie parcell of them, shalbe wholly, and in no wise seuerally chargeable with the paiment of the said debt and duetie. 33. H. 8. 39.

When the K. debtors lands come into seuerall hands.

10 Euerie person named or appointed to bee treasurer, or generall or particular Receiuer, Collector, or Bailife, or Minister accomptant to the King, shall before his entrie, executing, vsing, or exercising of his Office, whereunto hee shall bee so nominated or appointed, together with suertie or suerties, acknowledge and make sufficient and lawfull bond or bonds to the King in such Court of Record, where the same Officer shall bee accomptable and chargeable, that hee, his heires, executors, administrators, assignes, or deputies, shall truely accompt, and pay all such summes of money as shal come to his hands, or shal, may, or reasonably might be charged with, concerning his office to the Kings vse, within the circuit of his receipt & collection, at such or like daies and times, & in such maner as is hereafter expressed to be contained in the conditions of euerie of the said bonds, vpon paine of forfeiture of his office, and of his letters patents of the same office. 7. Ed. 6. 1. S. 15. 16. 17. 18.

Officers bound with suertie for their true accompt and paiment.

11 Euerie Receiuer of the Kings lands, rents, and reuenues, or his deputy, shall yearely make his seuerall Precepts, to all and singular Collectors, Ministers, and Baylifes accomptanat within the circuit of his Office, commanding them on the kings behalfe by the same Precept to appeare before him personally, or by their sufficient deputie or deputies, for whom they will aunswere, within the Coontie where the same Offices, Bailiwikes, &c. or collections doe lye, at a certaine day and place in the same Precept to be limitted, and to pay to the K. vse such summes of money as they ought to doe, by reason of any their said Offices being due to the K. at or before the feast of Easter, which they haue or may by any law-

Receiuers precepts to the accomptants.

The haile yeares rent due at Easter.

lawfull means receiue, within or by reason of their said offices, & the same precepts shall be seuerally deliuered to euerie of the said officers accomptant, or to their deputies, or else be left at their dwelling houses, or at the Mano^r or place where their receipt is, or ought to be, twelue dayes at the least before the day of appearance to them giuen in the same precept. And if any of the said Ministers, Collectors, or bailifes accomptants, after any such precepts made by any such Receiuer, and deliuered or left in forme aforesaid, doe make default at the same day or place assigned by the same precept, and beeing thereof lawfully conuicted in the Court where the reuenue shall bee answered, he shall for the first offence forfeit to the King his whole fee for that yeare, wherein hee shall so make default, or the value thereof, and for non-paiment of the said money due and paiable at or before the said feast of Easter vnto the King, within or by reason of his aboue said office, collection, or bailiwike, shall forfeit for the first offence of non-paiment vj.s. of the pound in the name of a paine, for euery moneth after the said day of apparance, vntill the same money shall bee by him or his deputie paid to the hands of the said Receiuer, to the Kings vse. And after the first default of apparance made by any of the said officers, and another like precept by the said Receiuer be made and deliuered or left in forme aforesaid, then the said officer making againe default, and being thereof lawfully conuicted, as aforesaid, for the second default of non-apparance, shall forfeit to the king his office and fee. And for the said second offence, in the non-paiment of the said money due and paiable by reason of his office, at or before the said feast of Easter, shall forfeit ry.s. of euerie pound, in the name of a paine, for euerie moneth after the said last day of apparance and default made, as is aforesaid, vntill the same money shall be by him or his deputie, paid to the hands of the said Receiuer, to the vse of the King. 7. Ed. 6. 1.

The forfeiture where the accomptãt maketh default.

Second default.

12 Euerie Auditor of the Kings, of his lands, possessions, rents, and reuenues, for the time beeing, or his sufficient Deputie, shall haue full power yearely to make his precepts to all Ministers, Collectors, and Bailifes accomptants, commaunding them in the behalfe of our said Soueraigne Lord, to appeare and accompt before him personally, or else by his sufficient Deputie or Deputies, at a place certaine within the Countie where the same lands and possessions doe lye, at the Kings Audite to bee holden there yearely, betweene the Feast of Saint Michael the Archangell, and the Natiuitie of our Lord God, of, and for all rents, reuenues, and profits, due and paiable within, or by reason of their said offices, &c. at or before the feast of Saint Michael the Archangell next before the same Audite, expressing in the same precepts, the time and place when and where the same Ministers, Collectors, and Bailifes accomptable, or the sufficient Deputies for whom they will answer, shall appeare, the same precepts to bee deliuered to the same ministers, &c. accomptable, or their Deputies, or left at their dwelling houses, or at the Mano^r or place where their collections are or ought to bee, twelue dayes at the least before the day of apparance to them prefixed in the same precepts. And if any Minister &c. accomptant doe not appeare before the said Auditor or his Deputie at the said Audiee according to the said precept, or else if he do appeare, and refuse to accompt for his said receipt &c. before the said Auditor &c. and being thereof lawfully conuicted in the Court where the reuenue shall bee answerable, hee shall for his first offence forfeit to the King his whole fee for that yeare, wherein hee shall so make default, or the value thereof. And for the non-paiment of the said money due and payable within his collection &c. at or before the said Feast of Saint Michael the Archangell, shall forfeit to the King for his first offence fiue pence of euery pound, in the name of a paine for euerie moneth after the said day of apparance and default made, as is aforesaid, vntill he or his sufficient Deputie shall accompt before the said Auditor or his Deputie, for his said col-

Auditors precepts to the accomptants.

The halfe yeres rent due at Michaelm.

Twelue dates warning.

If the Accõptant make default.

collection &c. And also pay vnto the hands of the said Receiuer, euerie such summe of money, as shall bee iustly found due by the said Accomptant before the said Auditor &c. to the Kings Maiestie, vpon the sot and determination of his accompt. And after the first default of apparance made before the said Auditor &c. by any of the said officers accomptant, being so warned as is aforesaid, and after another like Precept made and deliuered, or left in forme aforesaid, then that said officer that so shall make againe default of apparance, for the said second offence, in making default of his apparance, as is aforesaid, and being thereof duely conuicted in the Court where the reuenue of his said office shall be answerable, shall forfeit to the King his office and fee. And for the second offence in the non-paiment of the said money due and paiable by reason of his receipt &c. at or before the said feast of S. Michael, shall forfeit to the King xy. s. of euerie pound in the name of a pain, for euery moneth after the said last day of apparance and default made, as is aforesaid, vntill hee or his sufficient deputie, shall accompt before the said Auditor or his deputie, for the said receipt, collection, or bailiwike, and also pay vnto the hands of the said Receiuer or his deputie to the Kings vse, all such summes of money, as shalbe iustly found due by the said Accomptant, vpon the sot and determination of his said Accompt. 7. Ed. 6. 1.

Second default.

Officers accomptants concealing duties.

13 See the foresaid Stat. of 33. H. 8. 39. if any Bailife, Reeue, or other officer accomptant of the King, vpon the declaration of his Accompt, doth willingly conceale and withdraw any rent, reuenue, fine, harriot, or other casualtie whatsoeuer it bee, of the which hee ought to haue made accompt, and that duely proued before the head officer of the Court, where &c. he shall lose his office and fee, and three times so much as he hath concealed.

The K. bailifes may distraine for arrerages.

14 Euerie Receiuer, Collector, and Bailife of any of the Kings lands, rents, or reuenues, for lacke of paiment and leuying of their saide rents, issues, and reuenues, within their offices, haue power to distraine for the same, and to order the same distresses in such sort, as any officer of the Exchequer, for leuying of the kings reuenues, answerable in the same Court, heretofore haue done, and may lawfully doe, deliuering to the partie distrained the surplusage of the value of euerie such distresse (if any shall be) the K. duties being first paid, and the distrainant answered of reasonable costes. 7. Ed. 6. 1.

Within what time receiuers shall make paiment.

15 Euerie Receiuer of the K. lands, rents, reuenues, &c. shall make readie and full paiment yearely to the Treasorer, or general Receiuer of the Court where the said reuenues shall be answerable, or otherwise as he shall be appointed by sufficient warrant, of all such summes of money as he shall knowe to be due to the King, and can by any lawfull meane get or receiue of the rents or reuenues, of our said soueraign Lord, within or by reason of his office, being due at or before the feast of Easter, by the xx. of June then next following at the farthest. And also shall make like paiment yearely of all his like receipts of the rents &c. that shal be due at or before the feast of S. Mic. the Archangel by the xx. day of Januarie then next following at the farthest, vpon paine of forfaiture for euerie default at any of the said daies, two pence of euery pound for euerie day that the said money so by him shall be vnpaid. 7. Ed. 6. 1.

When the Receiuers shall accompt.

16 Euerie of the said Receiuers, or their deputies for whom they will answer, shall enter into their account yearely in the Terme of S. Hillarie, and fully finish the same before the tenth day of March then next following, and make full and readie paiment of the money that shall appeare to bee due vpon the sot of the same accompt, before the xx. day of the said Moneth of March, vpon paine of forfeiture to the K. their offices and fees, and iiij. s. of the pound for euerie day that they shall withhold the said money. 7. Ed. 6. 1.

17 All Treasurers, Chamberlaines, and generall Receiuers of any of the K.

Courts

Courts of reuenue for the time being, and all Customers, and Collectors of Customes, or certaine and ſtalled Subſidies within any port, hauen, or creeke of the Realme of England, which now be, or hereafter ſhall be, within tenne dayes next after notice to him or them giuen from the King, or ſix of his priuie counſel, in writing ſigned with their hands, ſhall by themſelues, or their ſufficient Deputies, for whom they will anſwere, declare in writing, what ſummes of money then being due vnto our ſaid Soueraigne Lord, be at that time in his or their hands, and ſhall make ready and full payment of all the ſaid ſummes, as then ſhall remayne in his or their hands (ouer and aboue the ordinarie payments and ſummes of money contained in ſufficient warrants remayning in their offices, and being in their full force, and not lawfully countermaunded, nor reuoked to their knowledge) to the vſe of the King, at ſuch time, and in ſuch ſort, as they ſhall be commaunded by ſufficient warrant, vpon pain of forfeiture of his or their office or offices. 7. Ed. 6. 1.

These Accomptants ſhall declare what money they haue, and make ready payment.

18 The ſame Treaſurers, Chamberlaines, and generall Receiuers, by themſelues, or their deputies, for whom they will anſwere, ſhall yearely before the xx. day of June make a perfect accompt of all ſuch money or treaſure, as hath come to their hands to the Kings vſe, yearely at or before the xx. day of March, then next before the ſaid xx. day of June, and ſhall make a perfect declaration in writing of the money remaining in euery of their hands, to the King, or to his priuie counſell, yearely before the laſt day of June then next following, and make payment of the ſame, at ſuch time, & in ſuch ſort, as they ſhal be commanded by ſufficient warrant, vpon paine of forf. of their offices. 7. Ed. 6. 1.

Within what time theſe accõptants ſhall make their accompts yerely.

19 If any Auditor, or his Deputy, which ought to take the accompt of any Treaſurer, Chamberlaine, Receiuer, or other Officer accomptable before him, doe refuſe, or willingly delay the taking of the ſame accompt, in ſuch wiſe, as it cannot be finiſhed within the time appointed by this Act, then he being thereof duely conuicted in the court where the reuenue or charge of the ſame accompt ſhall be anſwerable to the King, ſhall loſe ſuch like forfeiture as the Treaſurer, Chamberlaine, Receiuer, or other Officer aboueſaid ought to doe by this Act, for not accompting, of, and for their charges and office or offices: And thereby the ſame Treaſurer, Chamberlaine, Receiuer, and other Officer that ſhould accompt, & ſhalbe refuſed or delayed, ſhalbe diſcharged of any pain, loſſe, or forfeiture for not accompting. 7. Ed. 6. 1.

If the Auditor refuſe or delay to take the accompt.

20 The duplicat or copy of euery accompt that ſhal be made by any Treaſurer, or Receiuer, or by their deputy, in forme aforeſaid, within conuenient time after ỳ finiſhing of the ſame, & at the reaſonable requeſt & coſts of ſuch Accomptant, ſhal be deliuered vnto them ſubſcribed with the hand of the Auditor that ſhall take ỳ ſame accompt, or of his deputy &c. vpon pain, that the ſame Auditor ſhal forf. to the King for euery ſuch default x. l. 7. Ed. 6. 1.

The copie of the accompt deliuered to the accomptant.

21 But this Act ſhall not charge any Archbiſhops, or Biſhops, to make any bonds, or to make their accompt and payment of the Tenthes ariſing within any of their Dioces due to the King, in any other manner then they haue bẽ charged or accomptable and chargeable by the Lawes and Statutes of this Realme. 7. Ed. 6. 1.

Biſhops for Tenthes.

22 Neither ſhall this Act extend to touch or charge any Shirife, Eſcheator, or Collector of any Diſmes, Quindiſmes, Beneuolences, Contributions, or Subſidies (Subſidies of Tonnage and Pondage onely except) but that euery of them may exerciſe their ſaid ſeuerall offices, and pay ſuch ſummes of money, as any of them ſhall bee charged withall by their ſeuerall offices, in like ſort as euerie of them haue vſually done, or ought to doe, if this Act had neuer beene made. 7. Ed. 6. 1.

Shirife. Eſcheator. Collector.

23 Euerie

Collector of Fifteenes, Subsidies, & other taxes.

23 Euery high Collector of any Fifteene, Subsidie, or other taxe or loane, shall within three moneths next after such times as the same shall be due, and payable to the King, his heires or successors, by any Statute, Ordinance, or other meane, and by the same Collector receiued, truly pay the same to the Kings vse, at such place, and to such person as shall be named for the same, vpon paine to forfeit to the King, his heires and successors, for euery pound so being receiued, and after that retained, kept, or laid out for gaine, and not payed within three moneths to the Kings vse, as is aforesaid, iij.s. for euery moneth that the same money shall bee retained, kept, or laid out for gaine, and also shall lose his office concerning ỳ same, and all profits thereunto belonging. And the King shall at his pleasure charge the said Collector, vpon his accompt, with the penaltie and forfeitures aboue rehearsed, or else recouer the same by Action, Bill, Plaint, or Suit of debt against ỳ same Collector, his heires, executors, or administrators, wherein no W. &c. E. or P. &c. 34 H.8.2.

The Collectors paiment being tendred, fulfileth.

24 If any of the said Collectors tender payment of all such mony by him receiued to the K. vse within the said 3. moneths, in such place, & vnto such person as shal be charged with the receit of the same, & do as much as in him thẽ shalbe for to make true paiment thereof, & cannot be thereunto admitted by reason of important busines, or other lawfull impediment in him that should receiue the same, then ỳ same Collector &c. shall not be charged with, or incurre any danger or penalty contained in this act. 34.H.8.2.

How far the Collectors heire shall be charged.

25 The heire of any Collector aforesaid (or of any Receiuer of the Exchequer, Dutchie of Lancaster, or Court of Wards and Liueries) shall not bee charged by reason of this Act, but onely for, and in such lands &c. or hereditaments, which hee shall haue by discent in fee simple, or fee taile, or by gift, or else by any other assurance made to any such heire onely by couin from the said Collector, or Receiuer, or any of their assignes. And in euery such case, the King, his heires and successors shall haue execution onely, of, and in such lands &c. or hereditaments discended, giuen, or otherwise assured, as is aforesaid, vntill such time as his Maiestie &c. bee fully satisfied of euery such summe of money due by any such Collector or receiuer. 34.H.8.2.

Collectors executors, or administrators charged.

26 The executors or administrators of euery such Collector shall not bee otherwise charged by this Act, but as executors & administrators should be chargeable by the order of the common law, in actions of debt vsed against them as executors or administrators. 34.H.8.2.

The heire being charged, shall haue remedy against the executors &c.

27 Where the heire of any of the K. Collectors, Receiuers, or Debtors shall be charged for his fathers or auncestors debts, or duties, whose heire he is, wherby the land discended or giuen to him by couin to defraud the K. execution therof, is put in execution, then such heire shall & may haue his action of Debt against the executors or administrators of his said father or auncestor, & shall haue execution of the goods & cattels of the said father or auncestor, being in the hands of the said executors or administrators at the time of the said action brought: In which action no W. E. or P. &c. 34.H.8.2.

Collectors of the custome of the subsidie of tonnage and pondage.

28 This Act of 34.H.8.2. doth not extend to the Collectors of the K. Custome, nor of the Subsidie of Tonnage & Pondage, which be accomptable yearely in the K. Exchequer. And this Act was prouided for Receiuers also: But the foresaid statute of 7. Ed. 6. appointeth another order of accompt and payment to them, and also other penalties.

These accomp. lands ly able to the payment of their debts.

29 All lands, tenements, profits, commodities, and hereditaments, which any Treasurer, or Receiuer, in, or belonging to any of the Quenes Courts of the Exchequer, Wards and Liueries, Dutchie of Lancaster, Treasurer of the Chamber, Cofferer of the Houshold to the Quene, her heires and successors, Treasurer for

the

the warres, Treaſurer of any Fort, Towne, or Caſtle, where any garriſon is or ſhall be kept, Treaſurer of the Admiraltie or Nauie, Treaſurer, vnder Treaſurer, or other perſon accomptable to the Quæne, her heires, or ſucceſſors, for any office or charge, of, or within the Mint, Treaſurer or Receiuer of any ſummes of money in preſt, or otherwiſe, for the vſe of the Quæne, her heires, or ſucceſſors, or for prouiſions of victuall, or for fortifications, buildings, or workes, or for any other prouiſions, to be vſed in any the offices of the Quænes Ordinance and Artillerie, Armorie, Wardrobe, Tents, and Pauillions, or Reuels, Cuſtomer, Collector, Farmor of Cuſtomes, Subſidies, Impoſts, or other dueties within any Port of the Realme, Collector of the Tenths of the Clergy, Collector of any Subſidie or Fiftæne, Receiuer generall of the Reuenues of any County or Counties anſwerable within the receipt of the Exchequer, or in the Court of Wards and Liueries, or the Dutchie of Lancaſter, Clarke of the Hamper, now hath, or at any time hereafter ſhall haue, within the time whileſt he or they, or any of them ſhall remaine accomptable, ſhall for the payment and ſatiſfaction vnto the Quæne, her heires, and ſucceſſors, of his or their arrerages (at any time to bee lawfully according to the Lawes of this Realme adiudged, and determined vpon his or their accompt, all his due and reaſonable petitions beeing allowed) bee lyable to the payment therof, and bee put in execution for the payment of ſuch arrerages, or debts, to be ſo adiudged and determined vpon any ſuch Treaſurer, Receiuer, Teller, Cuſtomer, Collector, Farmer, Officer, or Accomptant, as is afore named, in like and in as large manner, to all intents, as if the ſame Treaſurer, Receiuer, or Collector, &c. vpon whom any ſuch arrerages or debts ſhall bee ſo adiudged, had the day he became firſt Officer or Accomptant, ſtand bound by writing Obligatorie, hauing the effect of a Statute of the Staple, to her Maieſty, her heires, or ſucceſſors, for the true anſwering and payment of the ſame arrerages or debts. 13. Eliz. 4.

30 If any Treaſurer, Receiuer, Collector, &c. or other perſon accomptant before mentioned, which ſhall receiue or bee chargeable with any money or treaſure of the Quæne, her heires or ſucceſſors, and ſhall vpon the determining of his accompt (all his due petitions to him vpon the ſame accompt beeing allowed) or by reaſon of any Farme, as afore ſaid, bee found in arrerages, or to owe vnto our Soueraigne Lady, her heires, or ſucceſſors, any ſumme of mony, and ſhal not within the ſpace of fiue moneths next after his accompts finiſhed, or debt knowne (hauing allowance of his due petitions) truly pay all ſuch arrerages as hee ſhall owe vpon determination of his accompt, or vpon his debt knowne, then it ſhall bee lawfull to the Quæne, her heires and ſucceſſors, at any time after the ſaid fiue moneths ended, to make ſale by her or their Letters Patents, vnder the great Seale of England, of ſo much of the Landes, Tenements, and Hereditaments of euery ſuch Accomptant or Debtor, as may ſuffice our ſaid Soueraigne Lady &c. for the ſatisfaction of his debt or arrerages, vntill her Maieſty &c. be by ſuch ſale fully ſatiſfied of ſuch arrerages and debt to bee found vpon accompt or farme &c. And if any ouerplus of money ſhall bee reſerued, or had, vpon any ſuch ſale, then the ſame ſhall bee deliuered to the Accomptant or Farmer, or his heires, by the Officer that ſhall receiue the money, vpon any of the ſayd ſales, without any other warrant in that behalfe to bee obtained. And all the ſales to bee made by the Quæne, her heires, or ſucceſſors &c. ſhall be good and auaileable in law againſt the party accomptant indebted, and his heires clayming as heires, and againſt the Quæne, her heires and ſucceſſors, notwithſtanding any former charge or incumbrance to her Maieſtie &c. by the perſon for whoſe debt the ſame ſhall be ſold. 13. Eliz. 4.

Where the Quæne may ſell the accõptants lands.

The Ouerplus.

The ſale good againſt the Quæne and accomptant.

31 If

Accomptants purchase lãds in others names.

31 If any person Accomptant or indebted, as is aforesaid, shall at any time after he shall become accomptant or chargeable, as is aforesaid, purchase and buy, or cause to be purchased and bought, any lands, tenements, or hereditaments, and cause the assurance thereof to be made in the name of any other person or persons, where the same is in deed meant to the vse, profit, or behoofe of such person accomptant or indebted, or of any other person, and the same manner of purchasing, and secret vses &c. shall be found by office or inquisition, then all and euery lands, tenements, &c. so to be bought or purchased, or caused to be purchased, shal be taken and vsed for the satisfaction of the arrerages and debt of euery such accomptant or debtor, to all intents, as though the person indebted vpon his or their accompt or farme, were thereof actually seised of such estate as was conueyed to any person by any such accomptant or debtor, or by his meanes, as is aforesaid. And all sales to bee thereof made by the Quéene, her heires, or successors, for the satisfaction of such debt or arrerages, as shall bee found to bee due and owing to her, shall bee of the like effect, and be vsed in such like manner, as is before (30) expressed. 13. Eliz. 4.

Lands purchased since the beginning of the Quéns raigne.

32 All lands, tenements, and hereditaments, which any accomptant before named hath heretofore (sithence the beginning of the Quéns raigne) purchased, or caused to be purchased, to the intent the same should not be lyable as is aforesaid (ẏ couin being first found by office &c.) shall & may be seised by her Maiesty, her heires or successors, and retained by her &c. in fée simple, to be sold, or otherwise vsed at her and their pleasures, towards the satisfaction of all arrerages already set or determined, or that hereafter shalbe determined vpon his accompt (all reasonable and due petitions being allowed) at such rate and value as the same were purchased, or caused to bee purchased, by any Treasurer, Receiuer, Meller &c. or by any person, to their vse. Prouided alwaies, that if the lands so to be seised or sold by her Maiestie, her heires or successors, as is last aboue mentioned, do surmount after the rate and value aforesaid, the debt and arrerages to bee determined vpon the accompt of any Treasurer, Receiuer, or Accomptant before named, then her Maiesty &c. shall seise only so much as shall amount after the rate & value aforesaid, to the iust paiment of such debts & arrerages, as hath been or shalbe determined or adiudged vpon his accompt, as is aforesaid. 13. Eliz. 4.

No Bishops lands chargeable.

33 No Bishop hauing the collection of any Subsidy or Tenths, or any his lands &c. whereof he is seised in the right of his Bishopricke, shalbe charged by vertue of this Act for any arrerages of Tenthes or Subsidie, otherwise then he might lawfully haue bin before the making of this Act. 13. Eliz. 4.

Accomptants not exceeding CCC. l.

34 This Act shal not extend to charge any Treasurer, Receiuer, or Accomptant aforesaid, hauing any yéerely receipt, nor any their lands &c. whose yéerely receipt, collection, and charge, or whose whole receipt from the beginning of his charge, is not, or hath not béen, or hereafter shall not be aboue the summe of CCC. l. in any other manner, then he might lawfully haue bin charged before the making of this Act. 13. Eliz. 4.

Accomptants which are not to make prését payment.

35 But because the Treasurer of the Chamber, and Cofferer of the household of the Quéene, her heires & successors, Treasurers of warres, or Garrisons, Treasurers of the Nauy, Treasurers, or Receiuers of any summes of mony for prouision of victuall, or for fortifications, or for building, and Maister of the Wardrobe, are by order of their offices & charges after their accompts ended, to disburse the debt remaining vpon their accompts, in such charges as are necessarily to be prouided in their offices & charges, so as they are not of such summes of money to make présent payment as other accomptants are, therefore this Act shall not extend to giue any authority to make sale of any lands &c. for any such debt to be iudged in any of their

their accompts laſt mentioned, vnleſſe the Quæne, her heires & ſucceſſors vpon the determining of their accompts (all their due petitions to them &c. being allowed) commaund preſent payment thereof, or otherwiſe eftſones require a new accompt of the ſame debt ſo remaining in any the accomptants mentioned in this branch, & that then the ſame debt, or any part thereof, ſhalbe found to be owing & vnerpended in the charges pertaining to any of their ſaid offices, and the ſame debt remaining vnpayed by the ſpace of vj. Moneths, after ſuch requeſt or commaundement. 13. Eliz. 4.

36 This Act ſhall not extend to charge any Shirife, Eſcheator, or Bailife of liberties, or the lands, tenements, or hereditaments of any of them, nor of any their heirs or aſſigns, for any thing touching their office of Shirifewike, Eſcheatorſhip, or Bailywike, nor for any mony by thē receiued by reaſon of any their ſaid offices, in any other manner then they might lawfully haue bin charged, before ẏ making of this Act. 13. Eliz. 4. Shirife, Eſcheator, Bailife of liberties

37 This Act, as touching only the ſale of any lands or tenements, ſhall not extend to any lands &c. which any perſons now (viz. 2. Apr. 13. Eliz. Anno Dom. 1571) haue or enioy, and haue purchaſed or obtained bona fide, and not being priuie or conſenting to any ſuch intent, to defraud the Quæne, as is abouеſayd. 13. Eliz. 4. Lands purchaſed bona fide.

38 It ſhalbe lawful to euery perſon, whoſe lands &c. ſhal by any office or inquiſition be found to be fraudulently conueied as is abouеſaid, to haue his lawfull trauerſe to euery ſuch office &c. And if it be foūd with the party ẏ tendereth ẏ trauerſe, thē he ſhall haue the ſaid lands out of the Princes hands, without any Petition, Liuerie, or Ouſter le maine, or any other ſuit to be made or vſed: And the ſame bæing found for ſuch perſon ſo trauerſing, the ſame lands &c. ſhalbe adiudged as not liable, chargeable, nor to be ſold by force of this ſtatute. 13. Eliz. 4. The party grieued may haue his Trauerſe.

39 If the Quæne &c. ſhall by any ſale of lands by force of this ſtatute, be fully ſatiſfied of the debt or arrerages of any ſuch accomptant or debtor, or any part ther-of, then his ſureties ſhalbe diſcharged of ſo much of the ſaid debt, forfeiture, & arrerages, as ſo ſhalbe ſatiſfied, & for the reſidue only ſhalbe rateably (according to their abilities) charged. 13. Eliz. 4. If the Q. do ſell the debtors lands, the ſureties be diſcharged.

40 The ſtatute of 13. Eliz. 4. to make the lands, tenements, goods, and cattels of Tellers, Receiuers, &c. to be liable to the payment of their debts, ſhall to all intents as largely extend to all ſuch vnder Collectors of Tenthes & Subſidies of the Clergy, & to their lands, tenemēts, hereditaments, goods & cattels, for ſatiſfying of ſuch mony as they haue collected, or ſhal collect of the ſaid Tenthes & Subſidies, to the vſe of the Q. her heirs or ſucceſſors (of what yerely ſumme ſoeuer the charge of their collection is or ſhalbe) in like forme as it doth extend to ẏ Tellers, Receiuers, & other perſons accomptant, whom the ſaid Act expreſſly concerneth, & in as ample wiſe, as if ſuch vnder Collectors were immediatly accomptant to the Q. her heires or ſucceſſors: any prouiſion in the ſaid ſtatute, or other matter whatſoeuer, to the contrary notwithſtanding. 14. Eliz. 7. Under Collectors of tenths & ſubſidies.

41 And euery ſuch vnder Collector ſhall vpon proceſſe to bæ awarded out of the Court of Exchequer, be chargeable to accompt for his receipt of ſuch Tenths and Subſidies, as any Receiuer immediatly accomptant to the Qu. is, or ought to be: And euery Archbiſhop, and Biſhop, and Deane and Chapter (Sede vacante) to whoſe charge the collection of ſuch Tenthes or Subſidies doth or ſhall appertaine, ſhall bæ diſcharged of ſo much of the ſaid Tenths and Subſidies, as ſhall bæ ſatiſfied to the Quæne, her heires or ſucceſſors, of, or by the landes, tenements, hereditaments, goods, or cattels of ſuch vnder Collector, or his heirs, without any other warrant whatſoeuer, in that behalfe to bee obtained. 14. Eliz. 7. 1. Iac. 25. Vnder Collector ſhall accompt in the Exchequer.

42 The

Sale of the accomptants lands after his death.

42 The ſaid Act made Añ 13. Eliz. 4. in euery part thereof, touching the power giuen by that Act vnto the Q. her heires & ſucceſſors, to make ſale of any the lands, tenements, or hereditaments by the ſaid Act limitted to be ſold, is, ſhall, and ought to be expounded and intended, as wel in caſe where the ſale is to be made after the death of ſuch Accomptant or Debtor, as where it is to be made in his or their life time: And alſo as well in caſe where the accompt is made, or the debt known within 8. yeares after the death of ſuch accomptant or debtor, as where the ſame accõpt is made or debt knowne in the life time of the ſaid Accomptant or debtor: any queſtion &c. notwithſtanding. 27. El. 3.

Accompt made within 8. yeares after the Accomp. death.

Proces againſt the accomp. heire.

43 After the death of ſuch Accomptant and Debtor, as is mentioned in the ſaid recited Act, and before ſuch time as any the lands &c. diſcended vnto the heire of ſuch accomptant or debtor, as heire vnto the ſame accomptant or debtor, ſhall bee ſold, as is aforeſaid, a Scire facias ſhall be awarded out of the Exchequer vnto the Shirife of the County where any ſuch lands do lye, to garniſh the ſame heire, to ſhew cauſe why the ſame lands, &c. ſo to him diſcended, as aforeſaid, ſhould not bee put to ſale, for ſatisfaction of the ſaid debts or farmes in the ſame Act mentioned, according to the tenor of the ſaid Act: Whereupon if the heire do not within a conuenient time, vpon a garniſhment, or two Nihils returned, ſhew and proue vnto the ſaid Court, that the executors or adminiſtrators of ſuch Accomptant or Debtor haue ſufficient, which ought to anſwer, or be lyable for the ſame debt or farme, and whereby the ſaid debt or farme ſhall & may be duly & fully ſatisfied: Then after ten moneths nert after ſuch two Nihils, or garniſhment returned, the ſame lands, tenements, & hereditaments ſhalbe ſold by her Maieſty, her heires, or ſucceſſors, and the money thereof comming diſpoſed according to the true meaning of the ſaid former recited Act. 27. El. 3.

The ſale good to him which is not conſenting to the fraud.

44 The ſaid recited Act, & this Statute of explanation alſo, as touching only the ſale of any lands, tenements, or hereditaments to be made after the death of ſuch accomptant or debtor, as is aforeſaid, ſhall not extend to any lands, tenements, or hereditaments, which any perſon or perſons not being priuy or conſenting vnto any ſuch intent, to defraud the Q. her heires or ſucceſſors, as in the ſaid recited Act is mentioned, now haue, or enioy, & haue purchaſed or obtained, or before any Scire facias to be awarded, as aforeſaid, ſhall haue or enioy, purchaſe or obtain Bona fide, & vpon good conſideration: any thing in this Act or in the former Act notwithſtanding, &c. 27. El. 3.

To which accomptants this ſtatute ſhall extend.

45 This Act of Explanation ſhal extend only to ſuch as haue bin or ſhalbe Tellers, Receiuers, Treaſurers, Cuſtomers, Officers of the houſhold, farmors of impoſt, Collectors, Bailifes, Victuallers, & other officers of receipts & accompts vnto the Q. her heires & ſucceſſors, & to euery of them, their heires, executors, & adminiſtrators, and to no other. 27. El. 3.

Debt growing in the Dutchie, or court of Wards.

46 In ſuch caſes where any accompt ſhal or ought to be made, or any debt ſhal be owing in the Courts of the Dutchy of Lancaſter, & Wards & Liueries, or in any of them: Then after the death of ſuch accomptant or debtor, as is mentioned in the ſaid former Act, in any of the ſaid laſt mentioned Courts, & before ſuch time as any of the lands &c. diſcended vnto the heire of ſuch accomptant or debtor, as heire vnto the ſaid accomptant or debtor, ſhalbe ſold as aforeſaid, ſuch Proces ſhalbe awarded as hereafter is expreſſed, viz. Firſt a priuie ſeale cõmanding the ſame heire to make perſonall appearance in the Court, out of the which the ſame priuy ſeale ſhall be awarded, to ſhew cauſe, as in the writ of Scire facias to be awarded out of the Exchequer is before appointed. And if the ſame heire ſhall make default at the day of the returne of the ſame priuy ſeale, then vpon Affidauit made, that the ſame priuy ſeale was onely ſerued, either vpon the perſon of the ſame heire, or left at the place of his or her dwelling, or moſt vſuall abode, an attachment with Proclamation ſhall be awar-

A priuie ſeale.

awarded againſt the ſame heire, and ſhall be openly publiſhed and proclaimed in ſome market towne in the countie where the ſame heire was laſt dwelling, or made his or her vſuall abode, vpon ſome market day there, in the time of open market, twentie dayes at the leaſt before the returne thereof: And if vpon the returne thereof, the ſaid heire ſhall eſtſones make default, then all things ſhall be done and executed for the ſale of the ſame lands, tenements, & hereditaments, and for the full ſatiſfaction of the ſame debt or farme, in like, and as large manner to all intents, as before in this Act is limited, in caſes where default is made vpon a garniſhment or two Nihils returned vpon a Scire facias awarded out of the ſaid Court of Exchequer. 27. El. 3.

No ſale during the heires minoritie.

47 If the heire of ſuch accomptant or debtor before mentioned, ſhall happen to be within the age of 21. yeares, when any ſuch Proceſſe ſhall fortune to be awarded, Then during the time of his or her nonage, this Act or any thing therein contained ſhall not in any wiſe be extended, executed, or put in vre as touching onely the ſelling of the lands, tenements, or hereditaments of any ſuch heire: Any thing in the ſaid act &c. notwithſtanding. And yet neuertheleſſe, after ſuch time as any ſuch heire ſhall accompliſh the full age of xxj. yeares, all and ſinguler the lands, tenements, and hereditaments diſcended vnto the ſame heire from any ſuch Debtor or Accomptant as aforeſaid, ſhall at eight times during eight yeares then next enſuing be ſubiect and liable to be ſold, for the paiment and ſatiſfaction of her Ma. her heires, or ſucceſſors, according to the intent of this Act, in ſuch maner and forme to all purpoſes, as if the ſame heire had beene of full age at the time of the death of ſuch debtor or accomptant. 27. El. 3.

The lands liable to ſale 8. yeares after the heires full age.

48 This Act ſhal not extend to the ſale of the lands &c. of any ſuch heire or heires, for, or by reaſon of any accompt, debt, or farme, whereof any ſuch debtor or accomptant haue, or ſhall haue a Quietus eſt, or diſcharge in his or their life time. 27. El. 3. 1. Iac. 25.

The Accomptant hauing a Quietus eſt.

49 If any diſme or part of diſme bee graunted by the Clergie of the prouince of Canterburie, and Yorke to the King, or to his heires, after the certificat thereof into the Eſchequer, & of the names of the Collectors for the gathering of the ſame, if the ſame Collectors doe come by proces before the Barons of the Eſchequer, and enter into their accompt, they ſhall not be bound to anſwere any bill or billes there exhibited againſt them by reaſon of the ſaid entrie in their accompt, for any maner of cauſe but only for the matter touching the ſaid accompt. But if the ſaid accomptant be ſued in any other Court, by writ, bill, or plaint, then he ſhall take no priuiledge of the ſayd Eſchequer by reaſon of the ſame accompt for any ſuch ſuite. 1. R. 3. 14.

Accomptants for diſmes not chargeable to other ſuites in the Exchequer.

50 If he that is condemned and in execution at another mans ſuit, wil confeſſe himſelfe debtor to the King, where hee is no debtor of record, hee ſhall be remaunded to the fleete, vntill he hath paied the King the ſumme confeſſed. 1. R. 2. 12.

Confeſſion of debt to the King, to auoid others execution.

51 The King nor his Bailifes ſhall ſeiſe any mans lands or rent for any debt, ſo long as the debtors preſence, or cattell will ſuffice to pay the debt, & the debtor ready to ſatiſfie it, nor any mans ſuerties ſhall be diſtrained, ſo long as the chiefe debtor is ſufficient: and if the chiefe debtor doth faile of paiment, not hauing, or not willing to pay, the ſuerties ſhall anſwere it, and if they will, they ſhall haue the debtors lands and rents, vntill they be ſatiſfied, except the debtor can ſhew himſelfe to be acquited againſt the ſaid ſuerties. Magna Charta, Anno 9. Hen. 3. 8.

Suerties not charged, the principall being ſufficient.

52 No great a diſtreſſe ſhall not be taken for the Kings debt, nor driuen too far, and if the debtor can find ſufficient and conuenient ſuertie vnto the Sherife, vnto a certaine day within which he can procure a remedie to agree for the thing in demaund, the diſtreſſe ſhall be diſcharged in the meane time, and he that doth otherwiſe

The Shirife hauing proces to leuie the Kings debts, muſt take the ſuertie.

The Shirife hauing leuied the Kings debts, ſhall diſcharge the debtor.

wiſe ſhall be grieuouſly puniſhed. 28. Ed. 1. 12. And all debts of the ſummons of the Eſchequer, that the Sherife or Bailife doe confeſſe receipt of, ſhalbe forthwith allowed, ſo that whether he receiued al the debt or part, it ſhal neuer come in demand or ſummons after the Sherife hath confeſſed payment. Stat. de diſtric. Scac. 15. H. 3. And if the Shirife at the next accompt after he hath receiued ſuch debts, doe not acquite the debtor, he ſhall pay to the plaintife thrice ſo much as he receiued, and make fine at the K. pleaſure. Weſt 1. 3. Ed. 1. 19.

Commiſſions to enquire of accomptants.

53 Immediately after euery finall accompt, made and deliuered before the Barons of the Kings Eſchequer, by any Shirifes, Eſchetors, Cuſtomers, Comptrollers, & other officers accomptable, the tenor of the accompt of euery of the ſame officers ſhall be from time ſent into the Counties in the which the ſame accomptants be officers, together with commiſſions directed to the moſt credible, lawful, and diſcréete perſons, for to inquire and make certificat of the profits, which the ſaid accomptants haue receiued in the foreſaid counties, in their owne name to the Kings vſe, and vpon their accounts, haue deceitfully concealed and retained the ſame, to their owne vſe and profit. And in caſe any ſuch Accomptants be attainted of any ſuch fraudes & deceits, they ſhall forfeit to the King, treble of that, wherof they ſhalbe conuicted, and their bodies ſhalbe impriſoned, vntill they haue made fine & ranſome to the King, according to the diſcretion of his Iudges. 6. Hen. 4. 3.

Accompt.

Accomptants withdrawing themſelues.

IF Bailifes which are bound to yéld accompt to their Lords, doe withdraw themſelues, & haue no lands or tenements wherby they may be diſtrained, then their bodies ſhalbe attached, ſo that the Shirifes, in whoſe bailiwikes they ſhalbe found, ſhall cauſe them to appeare, to yéld their accompts. Marlb. 52. Hen. 3. 24.

Where Auditors may commit accomptants to priſon

2 If the Maſter doe aſſigne Auditors to any Bailifes, Seruants, Chamberlaines, or other receiuers, which are bound to yéld accompt, and it chance them to be found in arrerages (all things being to them allowed) they ſhalbe arreſted, and by the Teſtimonie of thoſe Auditors committed to the next gaole which the King hath in thoſe partes, and ſhall be receiued of the Sherife, or his Gaoler, and in priſon fettered in irons, and remaine in the ſame priſon liuing of their owne goods, vntill they haue fully ſatiſfied their Maſter of all the arrerages. But if any which is ſo committed to priſon, will complaine that the Auditors haue vniuſtly charged him with receits which he hath not receiued, or by not allowing him reaſonable erpences, and wil find friends which wil vndertake to bring him before the Barons of the Erchequer, he ſhalbe deliuered vnto them, and the Sherife in whoſe cuſtodie he is, ſhall warne his maſter that he doe appeare before the Barons of the Erchequer, at a certaine day, with the Rols and Talies whereby he yélded his accompt, and in the preſence of the Barons, or the Auditors which they will aſſigne, the accompt ſhalbe recited, and iuſtice ſhalbe done to the parties, ſo that if he be found in arrerages, he ſhalbe committed to the Fléte, and if he flée, and will not willingly yéld his accompt, he ſhalbe diſtrained to come before the Iuſtices to accompt, if he haue whereby to be diſtrained: and when he commeth to the Court, Auditors ſhall be appointed vnto him, before whom if he be found in arrerages, and wil not forthwith pay the ſame, he ſhalbe committed to the gaole, to be kept in forme aforeſaid: and if he flie, and the Sherife doth teſtifie that he cannot be found, the Exigent ſhalbe awarded againſt him vntil he be outlawed: and he which is ſo committed to priſon, is not repleuiſable. Weſt. 2. Añ 13. Ed. 1. 11.

1 An Action of debt is maintenable againſt a Sherife or Gaoler, which letteth an Accomptant eſcape, that is committed to his guard. See Eſcape 1.

2 Executors ſhall haue an Action of Accompt. See Executors 1.

3 For the accompt of thoſe which ſhall receiue any money for the mending of highwaies. See Highwaies 10.11.

4 For the accompt of Collectors and Surueiors for the mending of Bridges. See Bridges 4.

5 For the accompt of the Surueiors of the poore. See Poore 2.

6 In debt vpon the arrerages of accompt the defendant may wage his law, or plead to an Inquelt. S. Wager 3.

Accuſation.

NO Freeman ſhalbe taken or impriſoned, or diſſeiſed of his freehold, liberties, or free cuſtomes, nor ſhalbe outlawed, baniſhed, or by any meanes brought to deſtruction: neither ſhall any paſſe, or ſit in iudgement vpon him, but by the lawfull iudgement of his equals, or by the law of the Realme: Neither ſhall Juſtice or right be ſold, denied, or deferred to any man. Magna Charta 9. Hen. 3. 29. Ed. 3. 9. And if any man bee taken or put to anſwere without an indictment or preſentment before Juſtices, or ſome matter of record, or by due proces, or by writ originall, according to the olde law of the land, the ſame is voide and erroneous. 25. Edw. 3. 4. 28. Ed. 3. 3. 42. Edw. 3. 2. See Suggeſtion.

No man ſhall be condemned without lawfull trial.

Additions.

IN euery originall writ of actions perſonals, appeales, and indictments, where an Exigent ſhall be awarded, the names of the defendants ſhall be put, with additions of their eſtate, or degree, or miſterie, and the townes or hamlets, or places, and the counties of the which, and in the which they were or be conuerſant. And if by proceſſe vpon the ſaid originall writs, appeales, or indictments, in which the ſaid additions be omitted, any outlawries be pronounced, they ſhalbe voide, and before the outlawries pronounced, the ſaid writs and indictments ſhalbe abated by exception of the partie, whereas in the ſame the ſaid additions be omitted. But though the ſame writs of actions perſonals doe not agree with the records and deedes in ſurpluſage of the foreſaid additions, yet for that cauſe they ſhall not abate. And the Clerkes of the Chancerie (vnder whoſe names ſuch writs ſhall be written) ſhall not omit the ſaid additions, vpon paine to be puniſhed, & to make fine to the King at the Chancellors diſcretion. 1. Hen. 5. 5.

Additions where an exigent ſhall bee awarded.

1 An offendour in a writ of Excommunicato capiendo ſhall haue a ſufficient addition. S. Excommunication 8.

Adiournement.

WHereas by remouing of the common Bench, the pleas haue oftentimes abiden without day, to the great hurt and perill of diſheriſon of diuers: It is enacted, that from henceforth, the Juſtices before the common Bench be remoued, ſhall be warned by a time, ſo that they may adiorne the parties by ſuch time, that they ſhall not loſe their proces. 2. Ed. 3. 11.

1 Fines ſhall be effectual, though Proclamations be not made by reaſon of adiornement of any Terme. S. Fines 11.

Admeaſurement of dower, and paſture.

THe Gardein ſhall haue a writ of Admeaſurement of dower: But yet by the Gardeins ſuite, (if he will ſue faintly & by colluſion againſt the woman which is tenant in dower) the heire ſhall not be forecloſed when he commeth to full age, to admeaſure the dower, as it is to be admeaſured by the law of this Realme. And as well in the writ of Admeaſurement of dower, as in Admeaſurement of paſture,

Admeaſurement of Dower.

Daies giuen in the writ of admeaſurem.

when the ſuit is come to the graund diſtreſſe, daies ſhalbe giuen, within the which there may be holden two Counties, at the which open proclamation ſhalbe made, that the defendant ſhall appeare at the day contained in the writ, to anſwere the plaintife, at which day if he doe appeare, the ſuit ſhall procede betwixt them, and if he doe not appeare, and the proclamation be in forme aforeſaid teſtified by the Shirife, admeaſurement ſhalbe made by the default. Weſtm 2. 13. Ed. 1. 7.

Admeaſurement of paſture.

2 If by a ſuit moued vpon a writ of admeaſurement of paſture, the paſture was once admeaſured, and that it chance after ſuch admeaſurement the paſture be ouercharged againe by him that firſt did ouercharge, with moe beaſtes then hee ought to keepe, if the admeaſurement were before the Juſtices, the plaintife ſhall haue a Judiciall writ, that the Shirife in the preſence of the parties being ſummoned (if they will appeare) ſhall inquire of the ſecond ſurcharge, which if it be found, ſhalbe returned before the Juſtices vnder the ſeales of the Shirife and the Iurors: and the Juſtices ſhall award the plaintife dammages, and ſhall put in the eſtreats the value of the beaſtes, which he that ouercharged after the admeaſuremẽt, put into the paſture more then he ought, and ſhall deliuer the eſtreats to the Barons of the Exchequer to anſwere the King. If the admeaſurement were made in the countie, then at the requeſt of the plaintife, a writ ſhalbe awarded out of the Chancerie, that the Shirife ſhall enquire of ſuch ouercharge, and of the cattell put in the paſture aboue the due number, and ſhall anſwere the King the value of them in the Exchequer. And leaſt the Shirife ſhould deceiue the King in this caſe, al ſuch writs de ſecunda ſuperoneratione, which be awarded out of the Chancerie, ſhall be enrolled, and in the end of the yeare, the tranſcript therof ſhalbe ſent into the Exchequer vnder the Chancellors ſeale, that the Treaſurer, & Barons of the Exchequer may ſee how the Shirife hath anſwered the profit of ſuch writs. And in like ſort ſhall the writs of Rediſſeiſin be enrolled & ſent into the Exchequer in the end of the yeare. Weſtm 2. 13. Ed. 1. 8.

Secunda ſuperoneratio paſturæ.

Adminiſtrators.

WHere a man dieth inteſtate, the Ordinarie ſhall depute the nert and moſt lawful friends of him which died inteſtate, to adminiſter his goods, which deputies ſhall haue an action in the Kings Court to demaund and recouer as Executors, the debts due to him, which is dead, and ſhall anſwere others in the Kings Court, to whom the dead perſon was indebted and bound, in the ſame manner as Executors ſhall, and alſo ſhalbe accomptable to the Ordinarie, as Executors ſhall, in caſe where a teſtament is made. 31. Ed. 3. 11. S. Ordinaries 1.

2 For as much as it is often put in vre, to the defrauding of creditors, that ſuch perſons as are to haue the adminiſtration of the goods of others dying inteſtate committed vnto them, if they require it, will not accept the ſame, but ſuffer, or procure the adminiſtration to be granted to ſome ſtranger of meane eſtate, & not of kin to the inteſtate, from whom themſelues, or others by their meanes, doe take dedes of gifts, and authorities by Letter of Atturney, whereby they obteine the ſtate of the inteſtate into their hands, & yet ſtand not ſubiect to pay any debts owing by the ſame inteſtat, and ſo the creditors for lacke of knowledge of the place of habitation of the adminiſtrator cannot arreſt him, nor ſue him: and if they fortune to find him out, yet for lacke of abilitie in him to ſatiſfie of his owne goods, the value of that he hath conueied away of the Inteſtates goods or releaſed of his debts, by way of waſting, the creditors cannot haue or recouer their iuſt & due debts. Be it enacted, that euery perſon & perſons, that hereafter ſhall obtaine, receiue, or haue any goods, or debtes of any perſon dying inteſtate, or a releas, or other diſcharge of any debt or duty that belonged to the inteſtate, vpon any fraud, as is aforeſaid, or without ſuch valuable

Fraudulent Adminiſtration of inteſtates goods.

valuable consideration as shall amount to the value of the same goods and debts, or more thereabouts, (except it be in or towards satisfaction of some iust and principall debt of the value of the same goods or debts to him owing by the intestat at the time of his decease,) shalbe charged, and chargeable as Executor of his owne wrong, and so farre only as all such goods and debts comming to his hands, or whereof he is released or discharged by such Administrator will satisfie, deducting neuertheless to and for himselfe allowance of all iust, due, & principall debt vpon good consideration without fraud, owing to him by the intestate at the time of his decease, & of all other paiments made by him, which lawfull executors or administrators may and ought to haue & pay by the lawes and statutes of this Realme. 43. El. 8.

1 To whom the Ordinarie shall commit the administration of the goods of an intestate, and what he shall take for the same. S. Probat of Testament 5. 6.

2 How farre the Ordinarie hauing goods of an intestate shall be charged S. Ordinarie 1.

Admirall and Admiraltie.

THe Admiral & his deputie shall meddle with nothing done within the Realme, but only with things done vpon the Sea. 13. Rich. 2. 5. And he that is greeued against this statute shal haue an action vpon the case against him which pursueth in the Court of the Admiraltie, and shall recouer against him double damnages, & the pursuer beeing attainted shall forfeit to the K. r. l. 2. Hen. 4. 11. *With what thing the Admirall shall meddle.*

2 The Admirals court hath no manner of cognisance, power, or iurisdiction of any contracts, pleas, quarrels, or other things made or rising within the body of the Shires, by land, water, or wracke of sea, but all such contracts, &c. and other things shalbe tried determined, discussed, & remedied by the lawes of this Realme, and not before the Admirall nor his deputie. But the Admirall hath cognizance of the death or maihem of a man, committed in any great ship, fleeting vpon the high stream of great riuers, only beneath the bridges of the same riuers next the sea. And also to arrest ships in the great streams for the great voiages of the K. & the Realm: sauing to the King all forfeitures & profits thereof comming. And also he hath iurisdiction in the said streames during the said voyages only: sauing to all Lords, Boroughs, & Cities, their liberties and franchises. 15. Rich. 2. 3. *Where the Admirals iurisdiction doth lie.*

3 By the statute 2. Hen. 5. 6. like power as the Admirall hath, is giuen to him which shalbe assigned by the king in any Port to be conseruator of the truce, except for the determination of the death of a man which is committed vpon the maine Sea, and the execution of the same, which is alwaies reserued to the Admirall or his generall Lieutenant. S. Piracie. *Conseruators of the truce.*

1 For the authorities delegates in marine causes. S. Appeales 8.

Ad quod damnum.

THey which will purchase a new Parke, Religious people that will amortise lands or tenemẽts, must haue a writ out of the Chauncery, to inquire vpon the points accustomed in such cases, & the Enquests must be returned into the Exchequer, and there they shall make fine for the amortisment, or for the Park, if the enquest doe find for him that purchased the writ: and from thence it shal be sent to the Chauncellor. And the same maner is to be obserued of those which will purchase lands or tenements holden of the King in chiefe. And in like sort it shall be done with them which will purchase a Faire, a Market, a Warreine, or other libertie. Ordinatio de Libertatibus perquirendis. Añ 27. E. 1. *In Ad quod damnum vpon any libertie purchased.*

1 That lands may be giuen to the maintenance of houses of correction, or of poore mens stockes, without an Ad quod damnum. S. Mortmaine 10.

Age.

Nonage shall not helpe the disseisor or his heire.

IF a man do purchace an Assise, and the principall disseisor dyeth before the Assise doth passe, the plaintife shall haue a writ of Entrie vpon disseisin against the heire of the disseisor of what age soeuer he be. And in the same maner the heire of the disseisee shall haue his writ of Entrie against the disseisors or their heires of what age soeuer they be, if the disseisee die before he that purchased his writ, so that the writ shall not be abated, nor the plea delaid by the nonage of the heirs of the one partie nor of the other, but in that a man may without offending the law, fresh suit shalbe made in hast after the disseisin. And this point shalbe obserued in the right of

Prelates. Prelats and others, to whom lands cannot by any meanes come after the death of others, whether they be disseisees or disseisors. And if the parties in pleading descend to an Enquest, and that doe passe against the heire within age, and namely against

Attaint. the heire of the disseisee, he shall in that case haue an Attaint by the Kings special fauour without giuing any thing therefore. West. 1. 3. E. 1. 46.

Nonage shall not stay an Enquest. 2 If an Infant be kept from his inheritance, after the death of his father, grandfather, or great grandfather, whereby he is enforced to haue a writ, and his aduersarie doth appeare in Court, & in pleading allegeth a feoffement, or sheweth some other thing, whereby the Justices doe award an Enquest, there whereas an Enquest was deferred vnto the full age of the Infant, now the Enquest shall passe as though he were of full age. Glouc. 6. E. 1. 2.

Suit by procheine amy. 3 In euerie case where such as be within age may sue, if they be esloigned, so that they cannot personally sue, the next friends shall be admitted to sue for them. West. 2. 13. E. 1. 15.

1 Womans suit shall not be deferred by the minoritie of her husbands heire. S. Women 15.

2 An Apprentice bound within age, shall serue as if he were of full age. S. Labourers 23.

Ayde to make the sonne Knight, and to marrie the daughter.

THere shall be taken of a whole knights fee for reasonable ayde to make the sonne Knight, or to marrie the daughter, but xx. s. and of xx. pound land holden in Socage xx. s. and of more, more, and of lesse, lesse, after the rate. And none shall leuie such ayde to make his sonne Knight, vntil his sonne be xv. yeres of age, nor to marrie his daughter vntill she be of the age of vij. yeres, and therof mention shalbe made in the Kings writ framed thereupon, when any man wil demaund it. And if the father chance to die, when he hath leuied such aid of his tenants, before he hath married his daughter, the fathers executors are bound to satisfie the daughter of so much as the father receiued for this aid. And if the fathers goods be not sufficiet, his heire shal satisfie ỳ daughter. West. 1. 3. E. 1. 35. And the same law is in the

The kings sonne or daughter. K. case to make his eldest sonne Knight, or to marry his eldest daughter, 25. E. 3. 11.

Ayde of the King.

Where aide shall be granted of the K. & where not. IF the King make a Feoffement, and the deed thereof containeth so much, that another person by like deed or feoffement should be bound to warranty, the Justices shall proceed no further, except they haue commandement from the king. But where the King hath confirmed or ratified another mans deed, of that thing which was another mans, or hath granted any thing to another, as much as in him is, or where a deed is shewed forth, that the King hath giuen any tenemẽt, in which deed there is no clause of warrantie, and in such like cases, it shal not be surceased by occasion of such confirmation, ratification, graunt, or render, or other like: But after the same is shewed to the King, they shall proceed without delay. Stat. de Bigamis, 4. Edw. 1. & 2. S. Assise 5.

2 Concerning the Dowers of women, where any Gardeins of the inheritance of their huſbands haue the wardſhips of the gift or graunt of the King, whether the Gardeins do hold the thing in demaund, or doe call the heires of the ſaid tenements to warrantie, if they doe except, that they cannot anſwere without the K. it ſhal not therefore be ſurceaſed, but the ſuit ſhall in due maner proceed. Stat. de Bigamis, 4. E. 1. 3. In Dower the K. patentees of a ward, ſhal not haue aide.

3 A man ſhall haue but foure writs of Search for the King, whereof euerie writ ſhalbe deliuered fortie dayes before the returne of the ſame. And then they which ſue for the King, ſhall be put to aunſwere and to defend the lands and tenements demaunded againſt the K. aſwell as they can, whether any monument or remembrance be found for the king, or not, though the ſuit be in the Parliament, Chauncerie, Kings Bench, or Common place. And by commaundement vnder the great or priuie Seale, no point of this Statute ſhalbe delaied. 14. E. 3. 14. Foure writs of Search.

1 Vpon a Trauerſe two writs of Search ſhall be graunted. S. Trauerſe 5.

2 In Aſſiſe brought againſt the Kinges Patentee he ſhall not haue Aide. Aſſiſe 5.

Alehouſes.

THe Juſtices of peace within euery Shire, City, Borough, Towne corporate, Franchiſe, or Liberty, within this Realme, or two of them at the leaſt (whereof one to be of the Quorum (ſhall haue full authority within euery Shire, City, Borough, &c. where they be Juſtices of peace, to remoue, diſcharge, and put away common ſelling of Ale and Bære, in common Alehouſes, and Tipling houſes, in ſuch towne or townes, and places, where they ſhall thinke mæte and conuenient 5. & 6. E. 6. 25. 11. H. 7. 2. S. Iuſtices of P. 71. Juſtices of peace may diſcharge Alehouſes.

2 None ſhalbe admitted or ſuffered to kæp any common Alehouſe, or Tipling houſe, but ſuch as ſhalbe thereunto admitted & allowed in the open Seſſions of the peace, or els by two Juſtices of the peace, whereof one to be of the Quorũ. And the ſaid Juſtices of the peace, or two of them (whereof one to be of the Quorum) ſhall take bond & ſuertie, from time to time by recogniſance of ſuch as ſhal be admitted & allowed to kæpe any common Alehouſe, or tipling houſe, aſwell for and againſt the vſing of vnlawfull games, as alſo for the vſing & maintenance of good order & rule, to be had & vſed within the ſame, as by their diſcretion ſhalbe thought neceſſary and conuenyent: for making of euery which recogniſæ, the party or parties that ſhalbe ſo bound ſhall pay but xij. d. And the ſaid Juſt. ſhal certifie the ſame recogniſance at the next quarter Seſſions of the peace to be holden within the ſame ſhire, citie, borough, town corporat, franchiſe or liberty, where ſuch Alehouſe, or tipling houſe ſhalbe: The ſame recogniſance there to remaine of record before the Juſt. of P. of the ſame Shire, Citie, Borough, &c. vpon pain of forfeiture to the K. for euerie ſuch recogniſance taken and not certified iij. l. vj. s. viij. d. 5. & 6. E. 6. 25. Allowance of Alehouſes.

3 The Juſt. of P. of euery Shire, Citie, Borough, &c. where ſuch recogniſance ſhalbe taken, ſhal haue authority in their Quarter ſeſſions of the peace, by preſentment, information, or otherwiſe, by their diſcretion, to inquire of all ſuch perſons as ſhalbe admitted and allowed to kæpe any ſuch Alehouſe or tipling houſe, & that be bound by recogniſance, as is aforeſaid, if they or any of them haue done any act or acts, wherby they or any of them haue forfeited the ſame recogniſance. And the ſaid Juſtices of euery ſhire, and places where they be Juſtices, ſhal vpon euery ſuch preſentment, or information, award proces againſt euerie ſuch perſon ſo preſented, or complained vpon before them, and ſhall haue full power to heare and determine the ſame, by all ſuch waies and meanes, as by their diſcretion ſhalbe thought good. 5. & 6. E. 6. 25. Inquirie of thoſe which haue forfeited their recogniſances.

4 If

The penaltie for kæping an Alehouſe without licence.

4 If any perſon or perſons, other then ſuch as ſhalbe admitted & allowed by the ſaid Juſt. of P. ſhall obſtinatly & vpon his owne authoritie, take vpon him or them to kæpe a common Alehouſe, or tipling houſe, or ſhall contrarie to the commandement of the ſaid Juſt. or two of them, vſe commonly ſelling of Ale or bæere, then the ſaid Juſt. of peace, or two of them (wherof one to be of the Quor) ſhall for euery ſuch offence, commit euerie ſuch perſon or perſons ſo offending, to the common gaole within the ſame Shire, Citie, Borough, Towne corporate, Franchiſe, or libertie, there to remains without baile or mainprize, by the ſpace of three dayes. And before his or their deliuery the ſaid Juſtices ſhal take recogniſance of him or them ſo committed, with two ſuerties, that he or they ſhall not kæpe any common Alehouſe, Tipling houſe, or vſe commonly ſelling of Ale or Bæere, as by the diſcretion of the ſame Juſtices ſhall ſæme conuenient. And the ſaid Juſt. ſhall make certificate of euery ſuch recogniſance, and offence, at the nert quarter Seſſions that ſhal be holden within the ſame Shire, City, Borough, &c. where the ſame ſhalbe committed or done: which certificate ſhalbe a ſufficient conuiction in the law of the ſame offence. And the ſaid J. of P. vpon the ſaid certificate made, ſhall in open Seſſions aſſeſſe the fine for euerie ſuch offence xx.s. 5. & 6. E. 6. 25.

Alehouſes kept in fayres.

5 Prouided alwaies, that in ſuch townes & places where any faire or fairs ſhalbe kept, that for the time only of the ſame faire or fairs, it ſhalbe lawful for euery perſon and perſons, to vſe common ſelling of Ale or Bæere, in bothes, or other places there, for the releife of the Kings ſubiects, that ſhall repaire to the ſame, in ſuch like maner and ſort, as hath bin vſed and done in times paſt. This Act &c. notwithſtanding. 5. & 6. E. 6. 25.

An Alehouſe kæper permitteth any to continue drinking in his houſe.

6 If any Innekæper, Victualer, or Alehouſe kæper, within this Realm of England, or dominion of Wales, do permit or ſuffer any perſon or perſons inhabiting & dwelling in any citie, towne corporate, market towne, Village or Hamlet, within this Realm of England, or dominion of Wales, where any ſuch alehouſe or tipling houſe is, or ſhalbe, to remaine & continue drinking or tipling in the ſaid Inne, victualing houſe, tipling houſe, or Alehouſe, (other then ſuch as ſhall be inuited by any traueller, and ſhall accompany him only during his neceſſarie abode there, and other then laboring & handicrafts men in cities & townes corporat, & market townes, vpon the vſuall working daies for one houre at dinner time to take their diet in an Alehouſe, and other then labourers and workemen, which for the following of their worke by the day, or by the great, in any citie, towne corporate, market towne, or village, ſhall for the time of their continuing in worke there, ſoiorne, lodge, or victuall in any Inne, Alehouſe, or other victualing houſe, other then for vrgent and neceſſarie occaſions to be allowed by two J. of P. thē euery ſuch Innekæper, &c. ſhall for euery ſuch offence forfeit x.s. of currant money of Englād, to the vſe of the poore of the pariſh where ſuch offence ſhalbe committed: The ſame offence being viewed & ſæne by any Maior, Bailife, or J. of P. within their ſeuerall limits, or proued by the oth of y. witneſſes, to be taken before any Maior, bailife, or any other head officer, or any one or more Juſt. or Juſt. of the P. who by vertue of this act ſhal haue authoritie to miniſter the ſaid oth to any perſon or perſons, that can or will iuſtifie the ſame, being within their limits of their ſaid Commiſſion. 1. Iac. 9.

The prices of a quart of Ale and Bæere.

7 If any Innekæper, &c. ſhal at any time vtter or ſel leſſe then one ful alequart of the beſt bæere or ale for a peny, & of ẏ ſmall two quarts for one peny, then euery ſuch Innekæper &c. ſhal forfeit for euery ſuch offence, being duly proued in maner aboue limited x. s̄. to the vſe abouesaid. All & euery the ſaid penalties to be leuied by the Conſtables or Churchwardens of the Pariſh or Pariſhes where the offence or offences ſhal be committed, by way of diſtreſſe to be taken & detained for the ſaid forfeitures, & for default of ſatisfaction within vj. daies nert inſuing, the ſame then to be preſently appriſed & ſold, and the ſurpluſage & ouerplus ouer & aboue to be deli-

The penalties.

uered

uered to the partie of whom the diſtreſſe was taken. And for want of ſufficient diſtreſſe, the partie or parties offending, to be by the Maior, Bailife, &c. committed to the common Gaole, there to remaine vntill the ſaid penaltie or penalties be truely paied. 1. Iac. 9.

8 If the Conſtables or Churchwardens do neglect their dutie in leuying, or do not leuie the ſaid ſeuerall penalties, or in default of diſtreſſe or diſtreſſes from time to time do neglect to certifie the ſame default of diſtreſſe, by the ſpace of xx. dayes then next inſuing, to the Mayor, Baylife, &c. within whoſe iuriſdiction the offence is committed: Then euery perſon and perſons ſo offending, ſhall forfeit for euery ſuch default x. ſ. to the vſe of the Poore of the Pariſh where ſuch offence ſhall be committed, to be leuied by way of diſtreſſe of the offendors goods, by warrant from any one or more Iuſtice or Iuſt. of the Peace, Maior, Bailife, &c. within the limits of their iuriſdictions reſpectiuely, vnder his or their hand and ſeale, to be taken and detained for the ſaid forfeitures, for the ſpace of fiue dayes then next inſuing: within which time, if payment be not made, the ſame goods to be preſently appraiſed and ſold, and the ſurpluſage & remainder ouer and aboue (if any be) to be deliuered to the partie of whom the diſtreſſe was taken, & for want of ſuch ſufficient diſtreſſe, the Conſtables, &c. ſo offending, to be by the Maior, Bailife, &c. committed to the common Gaole, there to remaine vntill the ſaid penaltie or penalties be truely paied: For all which penalties that ſo ſhall bee leuied by the ſaid Conſtables, or Churchwardens, they the ſaid Conſtables, &c. ſhal be accomptable to their ſucceſſors, and other the Pariſhioners, in ſuch ſort as they vſually be in other Church reckonings, or accompts. And for all forfeitures to be leuied by reaſon of any neglect of the Conſtables, or Churchwardens, thoſe ſhall be accomptable, who by force of any warrant or precept do leuie the ſame, or vpon the inlargement of perſons committed, do receiue the ſame. All other Lawes and Statutes touching Innekæpers, Victualers, and Alehouſe kæpers, ſhall remaine in their force, and be put in execution. 1. Iac. 9.

The Conſtables or Churchwardens omitting their duetie.

Conſtables & Church accompts.

9 The correction & puniſhment of ſuch as ſhall offend againſt this Act, or any part thereof, within either of the Vniuerſities of this Realme, or the precincts or liberties of the ſame, ſhall be done vpon the offendors, & iuſtice ſhall be miniſtred in this behalf, according to the true meaning of this Law, by the Gouernors, Magiſtrates, Iuſt. of the Peace, or other principal Officers of either of the ſame Vniuerſities, to whom in other caſes the adminiſtration of iuſtice, and puniſhment of offendors by the Lawes of this Realm, & their ſeueral Charters doth belong, & no other within their liberties for any matter concerning this Law, contrary to their ſeuerall Charters, ſhall intermeddle. And all penalties and ſummes of money, to be forfeited by force of this Act, within either of the Vniuerſities, or the Liberties of the ſame, ſhall be leuied by the Officers or miniſters of either of the ſaid Vniuerſities, to be from time to time in that behalfe appointed by the Vicechauncellor thereof for the time being, reſpectiuely. And all powers & authorities either of impryſonment, or otherwiſe before giuen or appointed by this Act, ſhall by the Gouernors, Magiſtrats, & principall Officers aboueſaid of either of the ſaid Vniuerſities, be duly executed and done within either of the ſaid Vniuerſities, & the liberties and precincts of the ſame, according to the true meaning of the ſame. 1. Iac. 9. To continue to the end of the firſt Seſſion of the next Parliament.

Offences committed within the Vniuerſities.

10 No perſon or perſons by himſelfe, or by any other wayes or meanes, directly or indirectly, ſhall ſell, vtter, or deliuer, or cauſe to be ſold, vttered, or deliuered, any Bære or Ale, to any perſon or perſons, or into the Houſe or Celler of any perſon or perſons, that then ſhall ſell, or vtter Bære or Ale as a common Tipler, or Alehouſe kæper, the ſame perſon not hauing any Licence then in force to ſell Ale or Bære, other then for the conuenient vſe, & expence of his, her, or their houſhold only,

None ſhall ſell Bære or Ale to an Alehouſe kæper, not hauing a Licēce.

only, vpon paine to forfeit for euery Barrell ſold, vttered, or deliuered contrarie to the forme and true meaning of this Act, vj. ſ. viij. d. and ſo after that rate for a greater or leſſer quantitie, 4. Iac. 4.

Where the offence ſhall be inquired of & determined.

11 All offences to be done, or committed, contrarie to the true meaning of this Act, and all penalties aforeſaid ſhall be enquired of, ſued for, heard, & determined in the Seſſions of the Peace for the Countie, Citie, or Borough, Towne or Liberty, or in the Court of record of the Citie, borough, towne or libertie, wherein ſuch offence ſhall be committed, by Action of debt, Information, Indictment, or preſentment, wherein no Eſſoine, Protection, or wager of law ſhall be allowed to the defendant; And the one halfe of all which forfeitures ſhall be to the vſe of the poore people inhabiting within the Citie, Borough, Hundred, towne, or libertie, where ſuch offence ſhall be committed from time to time, and the other halfe thereof to him, or them, that will ſue for the ſame, 4. Iac. 4.

Who ſhal haue the forfeitures

The Poores moitie of the forfeitures deliuered to the Ouerſeers.

12 And to the end that the ſaid one halfe of the ſaid forfeitures aboue limited to be to the vſe of the ſaid Poore people, may be truely imployed and beſtowed vpon them, according to the true meaning of this Act: Be it further enacted, that the Shirife, Bailife, or other officer or perſon that ſhall leuie or receiue any ſumme or ſummes of money forfeited, & recouered according to the true meaning of this Act, ſhall and may by vertue of this Act, without further warrant, deliuer the one halfe of the ſame ſumme & ſummes of money, by him or them ſo leuied or receiued, to ſome one, or more of the Churchwardens & Ouerſeers of the Poore of the ſame Pariſh where the ſame offence ſhall be committed, to be by them & euery of them diſtributed & beſtowed amongſt the ſaid Poore people, according to the true meaning of this Act, who ſhal likewiſe haue authority by vertue of this Act to diſtribute and beſtow the ſame accordingly. And euery Shirife, Bailife, & other Officer & perſon which ſhall leuie or receiue any ſuch forfeiture or forfeitures aforeſaid, & ſhall pay ouer the moitie & one halfe thereof, according to the true meaning of this Act, ſhall be therof diſcharged againſt the Kings Maieſtie, his heires & ſucceſſors, 4. Iac. 4.

The Officer paying to the Ouerſeers the moitie, ſhall be diſcharged.

The forfeiture for not diſtributing the money to the Poore.

13 If any Shirife, Bailife, or other Officer or perſon ſhall refuſe to pay ouer the moitie & one halfe of the ſaid money by him or them leuied or receiued, or that the ſaid Churchwardens & Ouerſeers, to whom the ſaid money ſhall be ſo paid, ſhal not from time to time within conuenient time truely diſtribute & beſtow the ſame, to and amongſt the Poore people, according to the true meaning of this Act, then euery perſon ſo offending, ſhall forfeit double the value thereof, to be recouered and imployed as aforeſaid, 4. Iac. 4.

Aliens, Strangers, and Denizens.

Aliens ſhall make no cloth.

NO perſon not borne vnder the Kings obeiſance, or made Denizen, being Artificer or Handycrafts man, nor none other for him, or to his vſe, ſhal make any Cloth, or put any woll to worke, to make any Cloth in this Realme, vpon paine to forfeit the ſame Cloth: Nor ſhall ſell any wares within this Realme, but onely in groſſe, and not by retaile, and in the Port, Towne, or place, where the ſame Artificer ſhall be dwelling, & in none other place, vpon paine to forfeit the ſame wares to the King, and him that will ſeiſe, or ſue for the ſame by A. I. &c. wherein no W. &c. E. P. &c. 1. R. 3. 9. S. Marchants 1.

Aliens ſhal ſel no wares but in groſſe.

Denizens ſhal pay ſuch duties as they did before.

2 Euery Alien made Denizen, ſhall pay to the King and his heires, & to euery other perſon, & to all Officers of Cities, Boroughes, & townes, all ſuch Subſidies, Cuſtomes, tolles, duties, & other ſummes of money for their wares, marchandizes, & goods, as they ſhould haue paid before they were Denizens: any grant made, or to be made, or any ſtatute &c. notwithſtanding. But all Officers of cities, boroughs, and townes, wherein any ſuch duties &c. ſhall be demaunded, ſhall ſet vp in open

place

place of ſuch Citie, Boꝛough, oꝛ Towne, a Table oꝛ Tables, by which the certaintie and dutie of ſuch Cuſtome, Tolle, &c. may appeare, to the intent nothing may be exacted, otherwiſe then hath bẽn accuſtomed. This Act ſhall not be pꝛeiudiciall to the Marchants of the Stilyard in London, but they ſhall enioy ſuch pꝛiuiledges &c. as they had beſoꝛe the making thereof. 22.H.8.8. S. Corporation 6. Marchants of the Stilyard.

3 All Aliens boꝛne being Denizens, oꝛ not Denizens, vſing any maner of handycraft, inhabiting within London, oꝛ the Suburbes thereof, within Weſtminſter, the Pariſh of Saint Martins in the field, the Pariſh of our Lady of the Stronde, Saint Clements of Danes, Saint Giles in the field, Saint Andꝛewes in Holboꝛne, the Towne & Boꝛough of Southwarke, Shoꝛditch, White Chappel Pariſh, Saint Johns ſtrẽte, the Pariſh of Clerkenwell, Saint Botolps Pariſh without Aldegate, Saint Katherines, Barmondſey ſtrẽte, oꝛ within two Miles compaſſe of the ſaid Citie of London, oꝛ the Pariſhes afoꝛeſaid, ſhall be vnder the ſearch & reformation of the Wardens and Fellowſhip of the handycraftes, which they do occupy within the ſaid Citie, with one ſubſtantiall Stranger, being an houſholder of the ſame Craft by the ſame Wardens to be choſen. And thoſe Wardens and Stranger ſhall appoint to euery Alien being a Blacke Smith, Cooper, Pouchmaker, oꝛ Joyner, (taking nothing theꝛefoꝛe) a Marke, which he ſhall put vpon his woꝛk, ware, oꝛ veſſel. And if any Stranger vſing the myſtery of Smiths, Joyners, oꝛ Coopers, ſhall make any wares oꝛ veſſels concerning the ſame myſteries, and do not put ſuch marke to euery of them, beſoꝛe they be put to ſale, oꝛ vſe, without taking any thing theꝛefoꝛe, he ſhall foꝛfeit the double value of the ſame wares & veſſels to the K. & I. to be recouered by A. I. &c. wherin no W. &c. E. oꝛ P. &c. But if the ſaid Wardens &c. refuſeth to marke the wares of any Stranger requeſting the ſame, then the Stranger may put to ſale his ſaid wares. 14.H.8.2. Aliens in London, oꝛ two miles compaſſe. Euery Alien ſhall haue a marke to ſet vpon his woꝛke.

4 The Wardens of euery ſuch myſterie, calling to them one ſtranger of the ſame myſterie, being a houſholder, haue power to ſearch, view, & reforme in London, and other places afoꝛeſaid, all wares of woꝛkmanſhips made by Handycraft men being Aliens. And if vpon ſuch ſearch, they ſhal find & adiudge any veſſels, oꝛ ware, in the poſſeſſion of the woꝛkers oꝛ owners, falſly & deceitfully made, to the hurt of the kings people, then the ſame woꝛker oꝛ owner, in whoſe poſſeſſion the ſame falſe and deceitfull wares ſhall be found, ſhall foꝛfait the ſame to the King, and the firſt finder therof, to be recouered in any of the K. Courts, by action of Detinue, wherin no W. E. oꝛ P. &c. 14.H.8.2. And if any Stranger artificer that is an houſholder, being required by the Wardens, gouernoꝛs, oꝛ their deputies, do refuſe to go with the ſaid Wardens to make ſearch in foꝛme afoꝛeſaid, & that be pꝛoued beſoꝛe the Chancelloꝛ of Eng. the Maioꝛ of London, oꝛ the chiefe Officer of the citie, boꝛough, town, where &c. he ſhal vſe ſuch occupation no moꝛe within England. 21.H.8.16. Wardens ſhall ſearch all Aliens woꝛke. A Stranger Artificer refuſing to make ſearch.

5 Wardens and Maſters of Fellowſhips of all handycrafts within any Citie, Boꝛough, oꝛ Towne coꝛpoꝛate where Wardens be, and the Bailifes oꝛ Gouernoꝛs of towns &c. where no Wardens be, haue authoꝛitie with the Bailif oꝛ Bailifes of the libertie, where any Libertie is, (being content ſo to do) to view, ſearch, and reforme Strangers, inhabiting and vſing within any ſuch Citie, Towne, &c. any handycraft, in as ample maner as the Wardens and Fellowſhip of London may doe by this Act. And all Strangers vſing any of the ſaid handycrafts, in any of the ſaid Cities, Boꝛoughes, &c. be bound to doe and obey in euery thing accoꝛding to the tenoꝛ of this Act, vpon the paines and foꝛfeitures, and to be recouered as is aboue remembꝛed. But this Act doth not extend to the Inhabitant Strangers in the Vniuerſities of Oꝛford, oꝛ Cambꝛidge, oꝛ within the Sanctuarie of great S. Martins within London. 14.H. 8.2. Wardens, bailifes, gouernoꝛs, may ſearch Aliens. Aliens in Oxford, Cambꝛidge, & great S. Martins.

6 If the Wardens of any Fellowſhip &c. Bailifes, Gouernoꝛs, &c. will wꝛongfully intreat any Stranger in executing any thing contained in this Act, then the Stranger The remedy if Aliens be intreated wꝛongfully.

Stranger grieued, may by bill or information complaine to the Lord Chauncelor, and Treasorer of England, or to the Iustices of the Assise in the County, which by their examinations haue authoritie to heare and determine the same complaint, and to award to the complainant such amends, as by them shall be thought reasonable. 14.H.8.2.

Aliens shal be contributory to subsidies & taxes.

7 All Strangers artificers made Denizens, that will inhabite within London, the Suburbes or Parishes aforesaid, or within two miles compasse of the same, & keepe houses and occupie their craft, shall be contributorie to and with the kings subiects artificers within London, paying and bearing the charge following: (that is to say) euerie Stranger Cordwainer, being an housholder, which worketh olde stuffe or new, shall quarterly pay to the Maister, Wardens, & Comminalty of the said Craft of Cordwainers within the said City vj.d. And euery seruant Stranger not being Denizen, shall pay quarterly ij.d. And all other Strangers, Artificers, and Denizens of euery handicraft, inhabiting within London, or any other Citie or Towne within this Realme, shal pay, beare, and sustaine all like charges as the kings subiects of like mysterie, borne out of his obeysance, inhabiting within the same Citie, Towne, &c. do beare. And all strangers artificers and Denizens, exercising the said craft of Cordwainers, dwelling out of London, in any other City, or Towne, shall pay, beare, and sustaine, scot, tares, tallages, subsidies, prests, and all other reasonable exactions, as the Masters, Wardens, and companies of the said Crafts for the time being, bee bound to pay, when any subsidie, tare, tallage, or prest, or other reasonable charges shal be assessed by the Maior & Aldermen or common Counsell of the said Cities, Townes, &c. of, or for any charge or payment of money to be paide vnto the King, or for any cause concerning the Commonwealth of the said Cities, Townes, or Artificers, &c. And whosoeuer denieth to pay as contributorie with the said Companies, shall not any longer occupie any handycraft, vpon paine to forfeit x.l. to the King and I. to be recouered by A. I. &c. wherein no W. E. or P. &c. 21.H.8.16.

Quære.

Quære, whether he shall forfeit x. li. all his goods, or the value of the thing by him sold.

The Strangers Oath.

8 The Stranger Artificer, Denizen, or not Denizen, being a house-holder, which will remaine within this Realme, shall vpon lawfull notice to him giuen by the Maister or Wardens of his craft, or one of them, personally present himselfe in the common Hal, or meeting place of the said Craft, within the city or Town where he doth inhabite, and there shalbe sworne vpon the holy Euangelists to be faithful and true to the King, and his heires, Kings or Queenes of England, and to be obedient to his and her Lawes, and to all Acts, Ordinances, and Decrees made and confirmed by his and her Counsell, or by his Counsell. And that at all times when hee shall be appointed by the Wardens of the Fellowship &c. or their Deputies, he shall be readie to goe with the said Wardens to make search. And that he shall not giue notice to any Stranger of the sayd search, vntill he with the sayd Wardens come together to make the same. And that he shall well, indifferently, and truely behaue himselfe, setting all affection, fauour, malice, and dread of any creature, and all fraud and deceit apart. And the Oath so receiued, the said Stranger shall pay for his admission, as the K. subiects vse to pay. 21.H.8.16.

Denizen Artificer onely shall keepe house, shop, &c.

9 No Stranger Artificer not being Denizen, shall set vp or keepe any house, shop, or chamber within London, or any other City, Towne, Borough, or Village, wherein he shall exercise any Handicraft or Mysterie, vpon, paine to forfeit all his goods. 1.R.3.9. 21.H.8.16.

Aliens shall not assemble but in their Halls.

10 No Stranger Artificers, Denizens, or other, borne out of the Kings obeisance, shal assemble in any Company, Fellowship, Congregation, or Conuenticle, but onely in the Common Hall of their crafts, with the Kings subiects of the same crafts,

crafts, at ſuch time as they ſhalbe commanded by the Maſter and Wardens of the ſaid crafts, and at none other place, or time, or in other manner, vpon paine to forfeit all their goods. 1.R.3.9. 21.H.8.16.

11 All aliens being in friendſhip with the King and the Realm, and comming within any Cities or Townes within the Realme, with fiſh, or other victuals, and there tarrying, and returning againe to their owne Countries, ſhall be vnder the K. protection, and it ſhalbe lawfull to euerie of them to cut their fiſh and victuals in peeces, and by retaile, or in groſſe to ſell the ſame. 6.R.2.10. And if any man diſturb any alien to ſell his fiſh in forme aforeſaid, he ſhall forfeit x.l. 14.H.6.6. S. Victuals 2. Marchants 1. Aliens victualers.

12 No perſon ſtranger, being a common Baker, Brewer, Surgeon, or Scrinener, ſhalbe interpreted a handicrafts man, by reaſon of vſing any of the ſaid ſciences of baking, brewing, ſurgerie, or writing. 22. H.8.13. Handycrafts men.

13 All leaſes of any dwelling houſe or ſhop within any the K. dominions, made to any ſtranger artificer, or handicrafts man, borne out of the K. obeiſance, not being Denizen, ſhalbe void. And no ſtranger artificer, or handycrafts man, borne out of the K. obeyſance, not being Denizen, ſhall take any leaſe of any dwelling houſe or ſhop, within any the K. dominions, vpon paine to forfeit for euery time doing contrarie x.l. And no perſon ſhall grant or let to ferme any dwelling houſe or ſhop to any ſuch ſtranger &c. not being Denizen, to the intent to inhabit in the ſame, vpon like paine to forfeit x.l. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. or P. &c. 32.H.8.16. Leaſes of houſes to aliens being not Denizens.

14 Euerie alien borne out of the Kings obeiſance, not being Denizen, which now be, or hereafter ſhall come in or to this Realme, or elſewhere within the K. dominions, ſhall be bound by and vnto the Laws and Statutes of this Realme, and to all the contents of the ſame. And all ſtrangers borne out of his Graces obeyſance, which heretofore haue béene made Denizens, or that hereafter ſhall be made Denizens, ſhalbe bound and obedient by and vnto all the foreſaid Statutes, made 1.R.3. 14.H.8. & 21.H.8. and to all the contents of the ſame, and to all other ſtatutes heretofore made, now being in their force: any Letters Patents, or Ordinances heretofore made, or hereafter to be made, to the contrarie &c. notwithſtanding. And alſo in euerie Letters Patents, of, or for the making of any Denizen, to bee made to any ſtranger, not being borne vnder the Kings obeyſance, ſhal be contained a Prouiſo, That he to whom ſuch Letters Patents ſhall be ſo granted, ſhall bee bound and obedient by and vnto all the Acts and Statutes of this Realme, and to all and euerie the contents of the ſame, except it ſhall be the Kings pleaſure to graunt to any ſuch alien, any ſpeciall Liberties or Priuiledges, more, or otherwiſe than is contained in the ſaid Statutes. And in that caſe, all ſuch Liberties and Priuiledges ſo to bee graunted to any ſuch alien, contrarie to the forme of any of the ſaid Statutes, ſhall be plainly, wholly, and particularly expreſſed by ſpeciall words, as well in the Bill aſſigned with the Kings hand, for obtaining of any ſuch Graunt, as in the Letters Patents to bee made out of the Chauncerie for the ſame. 32.H.8.16. Aliens bound vnto the lawes of this realme. Denizens bound to obey the Statutes. A Prouiſo in patents made to Denizens.

15 In the foreſaid Statute of 1.R.3. 14.H.8. 21.H.8. & 32.H.8. there bee ſeuerall ordinances for the taking and keeping of Apprentices, Journeymen, and ſeruants by aliens, and of aliens: but the force of them ſeemeth to be taken away by the Statute made 5.Eliz.4. which repealeth al Statutes before that time made, concerning the hiring, keeping, order &c. of Seruants, Artificers, Apprentices &c. and the penalties concerning the ſame. Sed Q. Statutes repealed. Quære.

1 Where an Enqueſt ſhall be *de Medietate lingua*, an Alien being partie, & where not. S. Iurors 11.29.30. Attaints 21. Triall.

2 No Alien borne, ſhall worke veſſell made of Tinne or Pewter. S. Pewter 8. Veſſell.

Benefice. 3 No Alien ſhall take a Benefice, nor any ſhall occupie it to his vſe without the Kings licence. S. Premunire 2.4.

Victuals. 4 Aliens being in amitie with the King, may bring in victuals, and ſell them in groſſe, or by retaile. S. Victuals 2. Marchants 1.

Wools. 5 At what time of the yere a Marchant Alien may buy wooll, S. wools 6.

Woll. 6 No Alien ſhall force, clack, or beard wool. S. Wools 8.

Inheritable. 7 Which Aliens be inheritable in England. S. Abilitie 2.

Herring. 8 In what caſe Herring may be bought of an Alien, and in what not. S. Fiſh 13.

Money. 9 Aliens ſhall employ their money here receiued vpon the commodities of this Realme. S. Marchants 9.10.

Gold. 10 Gold or ſiluer may not be deliuered to any Alien. S. Money 2.

Cuſtome. 11 What cuſtome Aliens ſhall pay for ſalted fiſh or Herrings brought into this Realme. S. Fiſh 18.

12 A remedie for Aliens robbed on the ſea. S. Safeconduct 3.

13 No Alien ſhall weaue or make any Worſteds, Sayes, or Stamines in great Yarmouth or Linne. S. Worſteds 7.

14 No Alien ſhal conuey any Bowes or Arrows out of the Realm, nor vſe ſhooting. S. Archerie 6.7.

Amerciaments and Fines to the King.

None ſhalbe amerced, but according to their offence. NO Cite, Borough, or Towne, nor no man ſhalbe amerced but for reaſonable cauſe, and according to the quantity of his offence, & a freeman ſauing his freehold, a marchant ſauing his marchandize, and any other mans villaine (except the Kings) ſauing his villaine tenure, if he offend the King. And none of the ſaid amerciaments ſhall be aſſeſſed, but by the othe of honeſt and lawfull men of the ſame vicinage. Mag. Char. 9. H. 3. 14. Weſt. 1. 3. E. 1. 6.

Amerciament of Barons & Spirituall perſons. 2 Earles and Barons ſhall not be amerced but by their Peeres. And a ſpirituall perſon ſhall not be amerced, according to his Eccleſiaſticall liuing, but by his lay fee: And thoſe amerciaments ſhalbe but according to the quantitie of their ſeuerall offences. Mag. Chart. 9. H. 3. 14.

3 Nothing ſhall be giuen for a Writ of Inquiſition, nor taken of him that praieth Inquiſition of life, or of member. Mag Char. 9. H. 3. 26.

4 No Eſcheator, Commiſſioner, or Juſtice ſpecially aſſigned to take Aſſiſes, or to heare and determine cauſes, ſhal haue authority to amerce for default of common Summons, but the chiefe Juſtices, and the Juſt. in Eyre in their circuits. Marlb. 52. H. 3. 18.

1 Cauſes to amerce Townes hips. Marlb. 52. H. 3. 24.

Apparance.

Entry that the plaintife offered himſelfe in proper perſon. IF any Philozer, Exigenter, or any other Officer of the K. Bench or Common place, do make any entrie in any ſuit, that the plaintife in the ſame ſuit hath offered himſelfe in his owne proper perſon, except the plaintife in the ſame (before ſuch entry be made) do appeare in his owne proper perſon before ſome of the Juſtices of the place where the plea is depending, and there bee ſworne vpon a booke that he is the ſame perſon, in whoſe name the ſaid ſuit is ſued, or that ſome other credible perſon of the Kings Counſell will take ſuch othe for him, the ſaid Philozer &c. ſhall forfeit xl. ſhillings to the King, euery time that hee ſhalbe attainted, by examination of any of the Juſtices of the ſame place, where any ſuch entry or record is. 10. H. 6. 4. 18. H. 8. 9.

Appeales

Appeales and Prouocations.

IN ſuch caſes where heretofore any of the K. ſubiects or reſiants haue vſed to purſue, prouoke, or procure any appeale to the Sea of Rome, and in all other caſes of Appeales, in or for any cauſes Teſtamentary, cauſes of Patrimony, and Diuorces, rights of Tithes, Oblations, and Obuentions, they may & ſhall take, haue and vſe their appeales within this Realme, and not elſewhere, in maner and forme enſuing, and not otherwiſe, That is to ſay, firſt from the Archdeacon, or his Officiall, if the matter or cauſe be there begun, to the Biſhop Dioceſan of the ſaid Sea, if in caſe any of the parties be grieued. 24. H. 8. 12. 1. Eliz. 1. Appeals from the Archdeacō or his officiall

2 And if it be commenced before the Biſhop Dioceſan, or his Commiſſary, from the Biſhop Dioceſan, or his Commiſſary, within xv. daies next enſuing the iudgement or ſentence thereof there giuen, to the Archbiſhop of the Prouince of Canterburie, if it be within his Prouince. And if it be within the Prouince of Yorke, then to the Archbiſhop of Yorke, and ſo likewiſe to all other Archbiſhops in other the K. Dominions, as the caſe by order of Iuſtice ſhall require, and there to be definitiuely and finally decreed and adiudged, according to Iuſtice, without any other Appellation or Prouocation to any other perſon or perſons, Court or Courts. 24. H. 8. 12. 1. Eliz. 1. Appeals from the Biſhop or his cōmiſſarie

3 And if the matter or contention, for any of the cauſes aforeſaid, be or ſhall be commenced by any of the K. ſubiects or reſiants, before the archdeacon of any Archbiſhop, or his Commiſſarie, then the partie grieued ſhall or may take his appeale within xv. dayes next after ſentence there giuen to the Court of the Arches, or audience of the ſame Archbiſhop, and from the ſaid Court of the Arches, or audience, within xv. dayes then next enſuing, after iudgement or ſentence there giuen to the Archbiſhop of the ſame Prouince, there to be definitiuely and finally determined, without any other proceſſe or appeal therupon to be had or ſued. 24. H. 8. 12. 1. El. 1. Appeals from the Archdeacō of an Archbiſhop.

4 Euerie matter, cauſe and contention that ſhal be commenced by any of the K. ſubiects or reſiants, for any of the cauſes aforeſaid, before any of the ſaid Archbiſhops, ſhalbe before the ſame Archbiſhop, where the ſaid matter, cauſe, or proces ſhalbe ſo commenced, definitiuely determined, decreed, or adiudged, without any other appeale, prouocation, or forreine Proces out of this Realme, to be ſued, to the let or derogation of the ſaid iudgement &c. otherwiſe then is by this act limited and appointed. Sauing alwayes the prerogatiue of the archbiſhop and church of Canterburie in all the foreſaid caſes of appeales to him and to his ſucceſſors, to be ſued within this Realme, in ſuch wiſe as they haue bēn accuſtomed to haue heretofore. 24. H. 8. 12. 1. Eliz. 1. Cauſes cōmenced before an Archbiſhop

The prerogatiue of the Archbiſhop of Canterburie.

5 For lack of Iuſtice at or in any the courts of the Archbiſhops of this realm, or in any the K. dominions, it ſhalbe lawful to the parties grieued, to appeale to the K. Maieſtie in his court of Chauncerie, and vpon euerie ſuch appeale, a Commiſſion ſhalbe directed vnder the great Seale to ſuch perſons as ſhalbe named by the K. highneſſe, his heires or ſucceſſors (like as in caſe of appeal from the Admirals court) to heare and definitiuely determine ſuch appeals, and the cauſes concerning the ſame, which Commiſſioners ſo to be named or appointed, ſhall haue full power to heare and definitiuely determine euery ſuch appeale, with the cauſes and all circumſtances concerning the ſame. And ſuch iudgement and ſentence as the ſaid Commiſſioners ſhal make and decree in and vpon any ſuch appeale, ſhalbe good and effectuall and alſo definitiue, and no further appeals ſhall bee had or made from the ſaid Commiſſioners for the ſame. Añ 25. H. 8. 19. 1. El. 1. Appeals from the Archbiſhops Court into the Chauncerie.

6 And in caſe any cauſe, matter, or contention, for the cauſes before rehearſed, or any of them ſhal come in contention for any of the ſame cauſes in any of ỹ aforeſaid Appeales in cauſes touching the K.

ſaid Courts, which hath, doth, ſhal, or may touch the King his heires or ſucceſſors, K. or Qu. of this Realme, then the partie grieued ſhall or may appeale from any of the ſaid Courts of this Realme, where the ſame matter ſhall happen to bee ventilat, be commenced or begun, to the ſpiritual prelats of the vpper houſe aſſembled by the kings writ in the conuocation being, or next enſuing within the Prouince or Prouinces, where the ſame matter of contention ſhalbe begun, ſo that euerie ſuch appeale be taken by the partis grieued, within xv. dayes next after the iudgement or ſentence thereupon ſo giuen. And whatſoeuer ſhalbe done, affirmed, determined, decréed, and adiudged by the aforeſaid Prelats of the vpper houſe of the ſaid conuocation, concerning or belonging to the king his heirs and ſucceſſors, in any of the aforeſaid cauſes of appeales, ſhall ſtand and be taken for a finall ſentence, iudgement and determination, and the ſame matter ſo determined neuer after ſhall come in queſtion and debate to be examined in any Court. 24. H. 8. 12. 1. El. 1.

Puniſhment of the offendor

7 If it ſhal happen any perſon to purſue or prouoke any appeale contrary to the effect of this act, or refuſe to obey, execute and obſerue all things compriſed within the ſame, concerning the ſaid appeals, prouocations, and other forrein proces to bée ſued out of this Realme, for any the cauſes aforeſaid, then hée, his Procurors, Fautors, Aduocats, Counſellors, and Abbettors, and euerie of them ſhall incurre into the penalties ordained in the Stat. of Præmunire, made 16. R. 2. and with like proces to be made againſt the ſaid offendors, as in the ſame Stat. appeareth. 24. H. 8. 12. 25. H. 8. 19. 1. El. 1. S. 25. H. 8. 19. that if any perſon prouoke or ſue any manner of appeals, of what nature or condition ſoeuer they be, to the Biſhop or Sea of Rome, or do procure or execute any proces from the Sea of Rome, or by authoritie thereof, to the derogation or let of the due execution of the aforeſaid Statute, then he, his counſellors, &c. ſhall incurre into the penalties ordained in the Statute of Præmunire, made 16. R. 2. But by the Stat. of 13. Eliz. 2. the getting of any Bull, writing, or inſtrument whatſoeuer from Rome, containing any matter or cauſe whatſoeuer, is high Treaſon. S. Rome 2.

S. Præmunire 5.

Appeales to Rome.

Appeales in ciuile or marine cauſes.

8 Euery ſuch iudgement and ſentence definitiue, as ſhall be giuen or pronounced in any ciuile and marine cauſe, vpon appeale lawfully to be made therin, to the Quéene in her court of Chauncerie, by ſuch Commiſſioners or Delegates as ſhall be appointed by her Maieſtie, her heirs, or ſucceſſors by commiſſion vnder the hall Seale, as it hath béene vſed in ſuch caſes, ſhalbe finall, and no further appeale ſhall be had or made from the ſaid iudgement or ſentence definitiue, or from the ſaid Commiſſioners or Delegates, for, or in the ſame. 8. El. 5.

1 That Euerie Eccleſiaſtical Iudge ſhal award coſts to the other party vpon Appeale made in any ſuit for ſubtraction of Tythes or Offerings. S. Tythes 21.

Appeales of Felonie.

In what places appeales ſhalbe purſued

ALl Appeales of things committed within this Realme, ſhall bee tried and determined by the Lawes of the Realme: And of things committed out of the Realme, before the Conſtable and Marſhall of England. And no appeale ſhalbe purſued in the Parliament. 1. H. 4. 14. But all Treaſons, and miſpriſion of Treaſon committed out of this Realm, ſhalbe tried in the Kings Bench, or in ſuch countie of this Realme, as the King by Commiſſion ſhall aſſigne. 26. H. 8. 13. 35. H. 8. 2. 5. E. 6. 11. S. Treaſon 10.

Appeale of Murder.

2 If the Appellant in Appeale do declare the déed, the yeare, the day, the houre, the time of the King, and the towne where the déed was done, and with what weapon he was ſlaine, the appeale ſhall ſtand in effect: And the Appeale ſhall not bée abated for default of Freſhſuit, where a man doth ſue within the yeare, and the day after the déed, Glo. 6. Ed. 1. 9.

3 No perſon ſhall be outlawed vpon appeale of commandement, force, aide, or receit, vntill the principall be attainted. But the Appellor ſhall not let to attach his appeale at the next Countie, as well againſt the accellorie, as againſt the principall. But the Exigent againſt the accellorie ſhall ſtay, vntil the principall be attainted by Outlawrie, or otherwiſe. Weſt.1.3.E.1.14. And if any be appealed of an act done as principall, they that be appeale d as accellories ſhalbe attached, & ſurely kept, vntill the principall be attainted, Officium Coronatoris.3.E.1. Exigent in appeal againſt the principall and accellorie.

4 None ſhalbe taken or impriſoned by the appeale of any woman for the death of any other then of her huſband. Mag.Char.9.H.3.34. Appeale of a woman.

5 When any appealed of Felonie doth acquit himſelf in the Kings court in due maner, at the ſuit of the appellant, or the King, the Juſtices before whom the appeal ſhalbe heard & determined, ſhal puniſh the appellant by a yeres impriſonment, and neuertheleſſe ſuch appellant ſhall yéld to the appellée damages by the Juſtices diſcretion, hauing reſpect to the impriſonment, or arreſt, that the partie hath ſuſtained by reaſon of ſuch appeale, and to the ſlander which he hath receiued, and alſo he ſhall pay a grieuous amerciament to the K. And if the appellor bee not ſufficient to anſwer damages, enquirie ſhalbe made, by whoſe abbetment the appeale was maliciouſly commenced, if the appellée deſire it. And if it be found by the ſame inqueſt, that any man is abbettor through malice, he ſhalbe diſtrained by a iudicial Writ at the Appellées ſuit, to appeare before the Juſtices, and if he be lawfully conuicted of ſuch abbetment by malice, he ſhalbe impriſoned, and reſtore damages, as is afore ſaid of the appellant. W 2 .13.E.1.12. And any perſon indicted or appealed of Felonie or Treaſon in a forreine Countie, ſhall in an action vpon the caſe, recouer treble dammages againſt euerie procurer of ſuch indictment or appeale, after he is duly acquited by verdict: & like proce s ſhalbe in the ſame, as in an action of Treſp. vi & armis. 8.H.6.10. S.Coroners 7,8. The appellee being acquited the appellāt & abbettors ſhal be puniſhed. Procurers of appeales in a forrein county

1 Within what time and before whom an appeale of Murder ſhall be commenced. S.Murder 4.

2 How the defendant in appeale of Maime ſhalbe vſed. S.Coroners 8.

3 That appeale of Murder may bee commenced in one Countie of the death of any other perſon ſtricken or poiſoned in another Countie. S.Triall 1.

4 In what caſe appeale of Murder may be commenced againſt a man arraigned at the Kings ſuit. S.Murder 3.

5 Appeale againſt any perſon dwelling in a forreine Countie. S.Indictments 3. Triall 1.

Approuers.

WHoſoeuer ſhall be appealed by any approuers remaining in the gaoles, which the Juſt. of Gaole deliuerie ſhal deliuer, in what place ſoeuer of the Realme the perſons appealed ſhall remaine, immediatly the Shirife of that Countie where ſuch perſons appealed be conuerſant, or may be found, ſhall be commanded by the Kings Writs vnder the teſtimonie of the ſame Juſtices, that hee ſhall take thoſe perſons appealed, and conuey them to the gaole, where the approuers, by whoſe appeale they be apprehended, be impriſoned, and the Shirife or Gaoler of that priſon ſhall receiue them, and there they ſhall anſwer before the ſame Juſtices. And if they put themſelues vpon the Countrey, the Juſt. ſhall ſend by a Iudiciall Writ to the Shirife of the Countie where the felonie was committed, that he ſhall returne an Enqueſt before them at the place where the approuers do remain. Stat de Appellatis 28.E.1. Appeales by Approuers.

1 It is felonie for a Gaoler to cauſe a priſoner to become an Approuer. S.Priſoners 2.Felonie 17.

Approuements.

Lords may approue against their tenants.

THe Lords of Walks, Woods, and Pastures (which haue enfeoffed their Freeholders of small Tenements within their great Manors) may approue of the same Walks, Woods, & Pastures, notwithstanding the contradiction of their tenants, so that the same tenants may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton. 20. H. 3. 4.

Lords may approue against their neighbors.

2 The foresaid Statute prouided betwirt the Lord and his tenants, shall take place betwirt the Lords of Walks, Woods, and Pastures, and their neighbours, so that the Lords leauing sufficient pasture to their men and neighbours, may approue the residue. And this shall be obserued of them which claime pasture pertayning to their freehold. But if a man claime common of pasture by a speciall feoffement or grant for a certaine number of cattell, or by any other meanes, then by common right (seeing couenant doth abrogate law) he shall recouer his owne according to the grant. West. 2. 13. E. 1. 46.

Common in grosse.

Approuement leauing sufficient common and passage.

3 And if such tenants or neighbors do bring an Assise of common of pasture, if it be found before the Justices that they haue as much pasture as is sufficient for their tenements, and that they haue sufficient ingresse and regresse from their tenemẽts vnto their said pasture, they shal hold themselues contented, & their Lords of whom they complained, shalbe quiet, and make their commoditie of the residue. But if it be found, that their ingresse and regresse were any thing hindered by the defore-coours, or that they had not sufficient pasture, then they shall recouer their seisin by view of the Iurors, so that by their discretion, and othe, they shall haue sufficient pasture, ingresse, and regresse, and the disseisors shalbe amerced, and render dammages. 20. H. 3. 4. 13. E. 1. 46.

4 By occasion of a Windmill, Sheepe-house, Dairie, augmentation of a necessarie Court, or Curtilage, no man shall be grieued by Assise of common of pasture. West. 2. 13. E. 1. 46.

Treble dammages.

5 All such person and persons which shall bring Assise vpon any branch or article of any of the foresaid Statutes, and haue iudgement to recouer, shal haue his or their damages trebled by the iudgement of the Court, where such Assise and iudgement shalbe had. 3. E. 6. 3.

Ditch or hedge of ground approued, throwne downe.

6 If a ditch or hedge (made by any person that hath authoritie to approue) be in the night or otherwise priuily throwne downe, and it cannot be knowne by the verdict of the Assise or Iurie who did it, nor the inhabitants of the next townes will accuse them that be guiltie, the townes next thereabout adioyning shall be distrained to leuie the hedge or ditch at their owne charges, and also to render dammage. West. 2. 13. E. 1. 46.

Houses with grounds vnder three acres

Gardens, Orchards, Põds

7 The foresaid two Statutes made 20. H. 3. & 13. E. 1. nor any thing in any of them contained, shal extend to any houses with ground builded vpon commons or waste grounds (before 4. Nouemb. Anno 1549) with ground vnder the quantitie of three acres, and not aboue, inclosed to and with the same: Nor to any Garden, Orchard, or Pond, inclosed before the said day, out of, or in such wastes or ground, which exceed not the quantitie of two acres, nor shall cause any person to lose any penaltie for the same. But if any such house hath bene before the said day builded vpon any such waste grouñd, and that there be aboue three acres inclosed to the same, then the said house and three acres, parcell of the same inclosure, shall still continue, and the ouerplus of the said three acres shall and may be laid open by the Owner of the same wastes. 3. E. 6. 3.

8 The Lord, or Lords, as well bodies politike, or corporat, as any other person or persons whatsoeuer, of all and euery the walks, commons, marishes, & fenny grounds

grounds ſubiect to ſurrounding, within the Ile of Ely, and the Counties of Cambridge, Huntington, Northampton, Lincolne, Norfolke, Suffolk, Suſſex, Eſſex, Kent, and the County Palantine of Dureſme, and the moſt of the Commoners for their particular Commons, and likewiſe the owners, and ſuch as haue or ſhall haue intereſt in any ſeuerall ſurrounded grounds, lying within or nære the ſame, may contract or bargaine for part of ſuch Commons, Waſts, and Seuerals aforeſaid, with ſuch perſon and perſons which will vndertake the draining and keping drie perpetually, the Seuerals, Waſtes, or Commons of that qualitie. Which contract, and bargaine, and conueyances thereupon made, ſhall be good and auaileable in law, to all conſtructions and purpoſes, againſt the ſaid Lords of the ſayd ſoyle, and owners of Seuerall, and their heires, ſucceſſors, and aſſignes, and all the Commoners, and ſuch as ſhall or might haue Common or intereſt there afterwards, according to the contracts, couenants, prouiſions, and agreements in thoſe conueyances to be ſpecified, and for ſo much of ſuch Commons, Waſts, or Seuerals, as ſhall be ſo contracted or conueyed: To hold and enioy in ſeueraltie to ſuch perſon and perſons, his or their aſſignee or aſſignes, as ſhall or haue vndertake the ſame, in ſuch manner and forme, as his or their eſtates and intereſts are, or ſhalbe, by or vpon ſuch contracts or agreements, by ſuch conueyances limitted or appointed. 43. Eliz. 11.

Vndertaking for the draining of marſh grounds.

9 Prouided notwithſtanding, That in all caſes where the Quéene, her heires, or ſucceſſors is or ſhalbe Lord or Owner of the freehold of the ſoile of ſuch Waſtes or Commons, or any part of the ſame, That the moſt part of the Commoners, in ſuch her Highnes ſoyle, ſhall or may contract, bargaine, aſſigne, and ſet forth, as is aforeſaid, part of their Common therein, to any perſon or perſons which will vndertake the draining of that whole Common, accordingly as the lords and the moſt part of the Commoners in the ſurrounded Waſts or Commons aforeſaid of bodies politicke or corporat may do, as is before delared: which ſhall bind, and be good and auaileable againſt all the ſaid Commoners, their heirs, executors, or aſſignes, and all others that ſhall hereafter by reaſon of any their reſiancie, claime any common of paſture in the ſaid Waſts or common grounds, whereof the ſoyle doth or ſhall pertaine to her Maieſtie, of, and for all their intereſt or claime of common therein, To hold according to the true intent and effect of ſuch contract, bargaine, aſſignement and conueyances by writing indented, ſealed and deliuered by the moſt part of ſuch Commoners, as ſhalbe made betwéen ſuch Commoners and Vndertakers: but ſhall not be in any ſort of effect or validitie againſt the Quéene, her heires, ſucceſſors, or aſſignes, or their eſtate or eſtates, in, or to the ſoyle thereof, except ſuch conueyances be by writing indented in parchment, and one part thereof vnder the hands and ſeales of moſt part of the Commoners ſo contracting the ſame, certified into the Court of Chauncerie, if the Waſts or ſoiles ſhalbe of the poſſeſſions of the Q. Crowne of England. And except her Maieſties royall aſſent be obtained therunto, and ſignified by and vnder her priuy Seale or great Seale, and incrolled in the ſaid Court of Chauncerie. And after ſuch aſſent ſo had, ſignified, and incrolled, then the ſame contracts and couenants ſhalbe good and auaileable, to all and euery ſuch Vndertakers, their heires and aſſignes, againſt the Qu. her heires and ſucceſſors, according to the prouiſions, agreements, and couenants ſo aſſented vnto by the Qu. her heires, and ſucceſſors. And where they are of the poſſeſſion of the Dutchy of Lancaſter, then the ſaid contract, bargaine, aſſignement, of, or from the Quéene, ſhall not be of any effect or validitie againſt her Highneſſe, her heires, ſucceſſors, and aſſignes, except ſuch contract and bargaine touching the premiſſes, and ſuch aſſignement and ſetting forth of ſuch part to the ſaid Vndertakers to hold in ſeueraltie, be by writing indented in parchment, ſealed and deliuered by the ſaid Commoners, or the moſt part of them, and the ſaid Vndertakers, & one part thereof certified

The Quéens conſent where ſhe is Lord of the ſoyle.

certified vnder the hands and ſeales of moſt part of the ſaid Commoners into the Quænes Court of the Dutchie of Lancaſter for the time being: And the Quæns royall aſſent vnder the ſeale of the ſaid Dutchie obtained thereunto, and there enrolled in that Court. Which conſent royall being obtained for the ſoyle of ſuch Waſt, being of the poſſeſſions of the Crowne, and vnder the ſeale of the ſaid Dutchie, of her Highneſſe ſoyle of ſuch Waſtes as are of thoſe poſſeſſions, the ſaid Vndertakers, and their heires and aſſignæs ſhall and may enioy in ſeueralty the ſoyle of ſo much Waſt and Common, as was ſo contracted for, aſſigned, and ſet forth by the moſt part of her Highneſſe Commoners, in ſuch ſort & quality, as the ſaid Vndertakers ſhall hold and enioy the intereſt of Common, to al intents and purpoſes. 43. Eliz. 11.

The reſidue of the Waſt not aſſigned. All Liberties reſerued.

10 This Act ſhall not extend to the impairing, diminiſhing, letting, or extinguiſhing of the intereſt of the Commoners, or any of them, or of the Lords or Owners of the ſoyle, of, in, or to any part of the reſidue of the Waſts or Commons, which is not or ſhal not be ſo ſet forth or aſſigned to the Vndertakers, nor to any Franchiſes or Liberties, or Waife, Stray, Leet, Law day, nor other Liberties to be vſed or taken, in the part ſo to the ſaid Vndertakers aſſigned. But as well the Commoners, and Lords, & Owners of that ſoile ſhall & may enioy their Commons in the reſidue thereof. And the Quéene, her heires & ſucceſſors, & the Lords & Owners ſhal & may haue & enioy ſuch Liberties & Franchiſes in ſuch their part, as heretofore was lawfully vſed, & as they or any of them ſhould or might haue done, if this act, or ſuch contract, bargaine, & aſſignement had neuer béene. Any thing in this Statute &c. notwithſtanding. 43. El. 11.

Hauens ſhall not be impaired.

11 This Act ſhall not extend either to any bargaine, ſale, agrément, grant, conueyance, or aſſurance, or to the inning, drayning, or laying drie of any Commons, Marſhes, or ſurrounded grounds, whereby, or by meanes whereof, any of the Hauens or Ports of this Realme of England, may be in any ſort annoyed, impaired, or hindered: nor to any graunts within 8. miles of Yarmouth, or 6. miles of Linne, within the County of Norfolke. 43. Eliz. 11.

1 For Approuement of the drowned marſhes of Leſnes and Fants in the countie of Kent: and of certaine fennes and low grounds in the Iſle of Ely. S. 4. Iacob. 8. 13.

Archerie.

Moſt men within lx. yeares of age ſhall ſhoot,

EVery man being the K. ſubiect, not lame, decrepit, maimed, nor hauing any other lawfull or reaſonable cauſe or impediment, being within the age of lx. yeres (except ſpirituall men, Juſtices of the one Bench, & of the other, Juſtices of Aſſiſe, & Barons of the Exchequer) ſhal exerciſe ſhoting in long bowes, & alſo haue a bow & arrowes continually in his houſe, to vſe, & doe vſe himſelfe in ſhoting, & euery father, ruler, & gouernour, ſhall bring vp thoſe which be in his houſe of tender age in knowledge of ſhoting. 33. H. 8. 9.

Men children betwixt vij. yeres and xvij

2 If any man ſuffer any man child, being his ſonne or man ſeruant, taking wages, betwixt the age of vij. yeares and xvij. to remaine in his houſe, without a Bowe and two Arrowes, by the ſpace of one moneth together, then the maſter or father ſhall forfeit for euery default vj. s. viij. d. If the ſaid ſeruant take wages, the maſter may buy the ſaid Bowe and Arrowes, and abate him of his wages. 33. H. 8. 9.

Men betwixt xvij. and lx. yeares of age.

3 If any ſeruant taking wages, and able to ſhot, being betwixt the age of ſeuentéene yeares and threeſcore, lacke a Bow and foure Arrowes by the ſpace of one moneth together, hée ſhall forfeit for euery ſuch default vj. s. viij. d. 33. H. 8. 9.

4 If

4 If any vnder the age of xxiiij. yeares shall shoot at any standing prycke, except it be at a rouer, whereas he shall change his marke at euery shoot, he shall forfeit for euery shoot doing the contrary, iiij. s. 33. H. 8. 9. Shooting at rouers.

5 If any aboue the age of xxiiij. yeares do shoot at any marke of vj. score yards, or vnder, with any prickshaft, or flight, he shall forfeit for euery shoot vj. s. viij. d. 33. H. 8. 9. Shooting with rouing shafts.

6 No stranger borne out of the K. obeisance, not being Denizen, shall conuey or do to be conueied, giue, sell, or exchange into any parts out of the Kings obeisance, any long Bowes, Arrowes, or Shafts, without the K. speciall Licence, vpon paine of forfeiture of the same, wheresoeuer they shal be taken, or the value therof within the Kings power, and vpon paine of imprisonment, without baile or maineprise, vntill such time as he so being in ward, hath made a reasonable fine to the K. for his offence before the Iust. of Peace, or two of them in their Sessions in ỳ same County where he shalbe cõmitted to ward, or find sufficient surety for the paiment of the same fine. 33. H. 8. 9. Aliẽs shal not conuey bowes or shafts beyond the seas.

7 No person not being borne within the Kings obeysance, not made Denizen, shall vse within the Kings obeysance shooting with long Bowes, without the Kings licence, vpon paine of forfeiture of such Bowes, Arrowes, and Shafts, as they shall bee found so shooting with. And euery of the Kings subiects may haue authority to take and seise the same forfeitures to his owne vse. 33. H. 8. 9. S. Aliens 3. No alien shall vse shooting.

8 If any Bowyer, Fletcher, Stringer, or Arrow-head maker, repairing to the City or Suburbes of London, & there making his dwelling & abiding, being not a freeman of the said City, neither bearing scot nor lot within the same City, shall refuse to depart from the said City, suburbes, straits, lanes, & places nere the same, to go & inhabit such other city, borough, or towne of the Realme of England, as is destitute of such artificers, & there to exercise his craft & faculty for the maintenance of Artillery, whensoeuer warning shalbe to him giuen by the K. honorable Counsell, the L. Chancelor of England, the L. Treasurer, L. priuy Seale, or one of them, thẽ he so refusing, shal forf. for euery day that he shal make his abode contrary, xl. s. 33. H. 8. 9. S. Iustices of Peace 63. Bowyers and Fletchers of Lõdon being cõmanded, shal dwel elsewhere

1 Who shall haue the forf. giuen by this Statute, and within what time the suite must be commenced, and before whom. S. Playes 7. Actions popular 11.

Armour.

NO man shal come before the Kings Iustices, or other Officers, in doing their Offices, with force and Armes, nor shal bring any force in affray of the peace, nor shall go or ride armed by day or by night, nor weare Sallet, Scull of yron, or other Armour, vpon paine to forfeit to the King his Armour, and his body to be imprisoned at the Kings pleasure, except the Kings seruants in his presence, and his Officers, in doing his Precepts, or their Offices, or such as bee in their companie assisting them, or vpon a crie made of Armes, to keepe the Peace in such places where such things happen. And the Kings Iustices in their Precincts, Shirifes, and other Officers of the King, within their Baylywikes, Lords of Franchises, and their Bailifes thereof, and Maiors & Bailifes of Cities and Boroughs within the same Cities and Boroughes, Borough-holders, Constables and Gardeins of the Peace, within their Wards, haue power to put this Statute of 2. Ed. 3. in execution. And the Iustices assigned, at their comming into the country, haue power to enquire, how such Officers and Lords haue vsed their Offices in this case, & to punish those which they find haue not done that which belongeth to their Offices. 2. Ed. 3. 3. Nor. 7. Rich. 2. 13. 20. Rich. 2. 1. No man shall come armed before the Iustices, nor go or ride armed.

No ſeruant ſhall weare any ſword, dagger &c.

2 No ſeruant in huſbandry, or labourer, nor ſeruant of Artificer or Victualler, ſhall beare any Buckler, Dagger, or Sword, vpon paine of forfeiting the ſame (except it be for the defence of the Realme in the time of Warre, and then by the ſurvey of Arrayors for the time being, or in trauailing with their maſters, or on their maſters buſineſſe.) And Shiriffes, Maiors, Bailifes, & Conſtables ſhall haue power to arreſt, & ſhall arreſt all offendors againſt this ſtatute, & ſeiſe ỹ ſaid Bucklers, Swords, & Daggers, & keepe them till the Seſſions of the P. of the Peace, and the ſame ſhall preſent before the ſame Iu. in their Seſſions, together with the names of them that did beare the ſame. But this ſhall not be preiudiciall to the franchiſes of Lords, touching forfeitures due to them. 12.R.2.6.

Imbeſelling the Qu. ordnãce, armour, victuall &c.

3 If any perſon or perſons hauing at any time hereafter the charge or cuſtodie of any armour, ordnance, munition, ſhot, powder, or habiliments of Warre of the Qu. Maieſties, her heires, or ſucceſſors, or of any victuals prouided for the victualling of any ſouldiers, gunners, mariners, or pioners, ſhall for any lucre or gaine, or wittingly, aduiſedly, and of purpoſe to hinder or impeach her Maieſties ſeruice, imbeaſil, purloine, or conuey away any the ſame armour, ordnance, munition, ſhot, or powder, habiliments of Warre or victuals, to the value of xx. s. at one or ſeuerall times, then euery ſuch offence ſhalbe iudged felony, & the offendor & offendors therein to be tried, proceeded on, & ſuffer as in caſe of felony. But none ſhalbe impeached for any offence againſt this ſtatute, vnleſſe the ſame impeachment be proſecuted or begun within the yeare next after the offence done. And this act, nor any attainder or attainders of any perſon or perſons, for any offence made felony by this act, ſhall in any wiſe extend or be interpreted to make ỹ offendor or offendors, to forfeit any lands, tenements, or hereditaments, any longer then only during his or their life or liues, or to make any corruption of blood, to any the heire or heires of any ſuch offendor or offendors, or to make the wife of any ſuch offendor to loſe or forfeit her dower, or title of dower, of, or in any lands, tenements, or hereditamẽts, or her action or intereſt to the ſame, any thing in this act &c. notwithſtanding. And ſuch perſõ or perſons as ſhalbe impeached for any offence made felony by this ſtatute, ſhall by vertue of this Act be receiued & admitted to make any lawfull proofe that he can, by lawfull witnes, or otherwiſe, for his diſcharge & defence in that behalfe: any law &c. notwithſtanding. 31.El 4.

within the peare impeached.

No loſſe of lands, nor corruption of blood.

1 The remedie for the owner, where a Souldior doth make away his horſe or armour. S Captaines 1.2.

2 None in Wales ſhall come armed to any Seſſions, Church, Faire, Market &c. S. Wales 103.

3 Recuſants Armour ſhall be taken from them. S. Recuſants 74.

Arrow-heads.

Arrow-heads marked, braſed, boyled.

EVery Arrow-head and Quarrell ſhall be marked with the marke of him that made the ſame. And if any that do make them, do not well boyle or braſe & harden them at the point with ſteele, he ſhall forfeit the ſame to the King, and ſhall bee impriſoned, and make fine at the Kings pleaſure. 7.H.4 7. S. Corporations 10. Iuſtices of Peace 55.

Arreſts.

Arreſting prieſts doing diuine ſeruice.

IF any of the Kings Officers, or other perſon doe arreſt any Prieſt, Clerke, or other, which is doing any Diuine Seruice in the Church, Church-yard, or other place dedicated to God, he ſhall be impriſoned and puniſhed at the Kings pleaſure, and

and further, ſhall recompence the party arreſted. But no people of the Church ſhall kæpe them within the Church, or Sanctuarie, by fraud or colluſion. 50.Edw.3.5. 1.R.2.15. S. Preacher 1.

2 If any men of great power, or their Bailifes, or any other (except the Kings Officers, vnto whom ſpeciall authority is thereunto giuen) either vpon the plaint of others, or vpon their owne authority, doe attach other paſſing with their goods through the place where they haue authority, to anſwere before them of contracts, couenants, or treſpaſſes cõmitted without their power & iuriſdiction, whereas they hold nothing of them, nor within the Franchiſe where their authority is, he which offendeth, ſhal anſwer to the party grieued his double damages, & ſhall pay a grieuous amercement to the King. Weſt.1.3.Ed.1.34. Arreſting within a liberty thoſe which hold not of thẽ.

1 Where the plaintife ſhall pay coſts and damages for vnlawfull arreſts. S.Damages 1.2.

2 Where and by whom Nightwalkers ſhalbe arreſted. S.Watch 1.

3 All ſhalbe ready to arreſt Felons and other great offendors. S.Felony 40.41.

Artificers.

IF any Butchers, Bakers, Brewers, Poulters, Cooks, Coſtermongers, or Fruiterers ſhall conſpire, couenant, promiſe, or take any othes, that they ſhal not ſell their vitailes but at certaine prices: Or if any Artificers, Workmen, or Laborers do conſpire, couenant, promiſe together, or make any othes, that they ſhall not do their works but at a certaine price or rate, or ſhal not take vpon them to finiſh that which another hath begun, or ſhal do but certaine worke in a day, or ſhall not worke but at certaine houres & times: Then euery of them ſo offending, being lawfully conuicted thereof by witneſſe, confeſſion, or otherwiſe, ſhal forfeit for ỹ firſt offence x.ſ. to the King, and if he do not pay the ſame within fiue daies after conuiction, hæ ſhalbe impriſoned twenty daies, & haue only bread & water for his ſuſtenance. And for the ſecond offence ſhall forfeit xx.ſ. or ꝛc. ſuffer the puniſhment of the Pillory. And for the third offence ꝛc. ſhall forfeit xl.ſ. or ꝛc. to ſit on the Pillory, loſe one of his eares, & to be taken infamous, & neuer to bæ credited in matter of iudgement. 2.Ed.6.15. Vitailers conſpire for the ſelling of their vitailes. Labourers conſpire for the order of their worke.

2 And if any ſuch conſpiracie, couenant, or promiſe bæ made by any companie of any myſterie of the Vitailers aforeſaid, with the conſent of the more part of them, then beſides the particular puniſhment appointed for the offendor, the corporation ſhall be diſſolued to all entents. 2.Edw.6.15. S. Iuſt. of Peace 56. Corporations 7. Conſpiracie made by a companie of vitailers.

1 For the retaining, departing, working, wages, and order of Artificers. S.Laborers in all, and Iuſtices of Peace 66.67.68.

2 What Artificers ſhall not be interpreted handicrafts men. S.Aliens 12.

Aſſiſe.

A Man ſhall haue an Aſſiſe of Eſtouers, of Wood, & of profit to be take in Wood, Nuts, Acornes, & other fruit to be gathered, of a Corrodie, of deliuering Corn and other vitailes and neceſſaries, to be receiued yerely in a place certaine, of Toll, Tonnage, Paſſage, Pontage, Pawnage, and ſuch like things to be taken in places certaine. And an Aſſiſe doth lie of the kæping of Woods, Forreſts, Parks, Chaſes, Warrens, Gates, and other Bailiwikes, & offices in fæ, & in all the foreſaid caſes the Writ ſhall be De libero tenemento. And as the Aſſiſe doth lye of Common of paſture, ſo doth it of common of Turbarie, fiſhing, and ſuch like, which a man hath belonging to his fræhold, or without his fræhold by ſpecial dæd, at ỹ leaſt for terme of Aſſiſe of Eſtouers, Wood, Corrodie, Toll, Tonnage, paſſage, Pontage, Pawnage. Aſſiſe of Offices. Aſſiſe of common of Turbary, Fiſhing.

of life. And alſo it lieth againſt him which paſtureth another mans ſeuerall. Weſt. 2.13.Ed.1.25.

Aſſiſe againſt Gardein or tenant for yeares, & their alienees.

2 If tenant for terme of yeres, or gardein of any tenement doth alien the ſame in fee, whereby the freehold is tranſferred vnto the feoffee, the remedie is by Aſſiſe, & the alienor ſhall be adiudged a diſſeiſor, & ſo ſhall the feoffee, ſo that during the life of either of them, the ſame writ will lye. And if by the death of the forſaid perſons, the ſaid remedy doth faile, then there ſhalbe redreſſe by a writ of Entry. Weſt. 2.13. Ed.1.25. And the heire ſhall haue his recouery immediatly by Aſſiſe againſt ỹ gardein & tenant. And the gardein ſhall loſe during his life the cuſtody of ỹ ſame thing recouered, & of all the reſidue of the inheritance which he holdeth of the ſame heirs. Weſt.1.3.E.1.47. S. Wards 8.

Aſſiſe by tenant by Elegit, Statute, Recognisance.

3 If tenant by Elegit be put out of the tenement, which he hath in execution, he ſhall haue an Aſſiſe. 13.E.1.18. And ſo ſhall tenant by ſtatute Marchant, if he be put out. 13.E.1.Mercat. And in like ſort ſhall tenant by ſtatute Staple, if he be put out. 27.E.3.9. And alſo tenãt by recogniſance in the nature of a ſtatute Staple, his executors, adminiſtrators, & aſſignes, ſhall haue an Aſſiſe, if he, they, or any of them be diſſeiſed, or put out of the lands in execution. 23.H.8.6. An Aſſiſe may be maintained by any perſon deforced, which hath eſtate of inheritance, freehold, &c. in, or to any Parſonage, Vicarage, Portion, Pention, Tithes, Oblations, or other Eccleſiaſtical profit, made, or to be made temporall for the recouery of the ſame, 32.H.8.7. And the Parſon of a Church may recouer common of paſture by Aſſiſe, 13.E.1.24. S. Execution 1.&c. Statutes 1.12. Tithes 23.

Aſſiſe of a parſonage, vicarage, tithes.

Aſſiſe by a Parſon.

Aſſiſe againſt an officer of the Kings.

4 If any Eſcheator, Sherife, or other of the Kings Baylifes, ſhall by colour of his office (without ſpeciall warrant, commaundement, or certaine authoritie, which belongeth to his office) diſſeiſe any man of his freehold, or of any thing which belongeth to his freehold, eyther the diſſeiſee at his choice ſhall haue an Aſſiſe &c. and recouer double dammages, and the defendant ſhall bee amerced, or elſe the King vpon the diſſeiſors complaint ſhall redreſſe the matter. Weſtm. 1. 3.E.1.24.

Aſſiſe againſt the Kings Patentee.

5 Where lands be graunted by the Kings Patent, without any title found by inqueſt, or elſe where the Kings Entry is not giuen by the law, they which bee put out, or diſſeiſed of their freehold, ſhall haue an eſpeciall Aſſiſe of the L. Chauncelors graunt, without ſuit to the King: And if the parties to whom the Patents be graunted, do pray in aid of the King, the Chauncelor ſhal graunt a writ of Procedendo, without further ſuit to the King. And if they which be put out, or the diſſeiſees doe recouer againſt ſuch Patentees, they ſhall recouer their treble damages. 1.H.4.8.

A ſpeciall Aſſiſe againſt a diſſeiſor with force.

6 If any man in his owne right, to his owne vſe, or in another mans right to his vſe, doth make any forcible Entry into another mans lands by way of maintenãce, or doth take, or carry away any goods of the poſſeſſors of the freehold after any ſuch forcibly Entry, then if the party grieued, or other lawfull man will affirm, that the Entry was made in ſuch forcible manner, the Chancelor may graunt to the partie grieued a ſpeciall Aſſiſe, & if the diſſeiſor be attainted of ſuch forcible diſſeiſin, he ſhal be one yeere impriſoned, & pay to ỹ party grieued his double damages, & alſo damages for his goods. And one of the Iu. of the one bench, or the other, or ỹ chiefe baron of the Exchequer (if he be learned in the law) ſhalbe named in euery ſuch ſpecial aſſiſe: And no Superſedeas ſhalbe granted to the contrary of ſuch Aſſiſe. 4.H.4.8. S. Force &c. 3.& 6.

Aſſiſe of rent going forth of lands in ſeuerall Counties.

7 Aſſiſe of rent iſſuing forth of tenemẽts in ſeuerall Counties, ſhalbe holdẽ in the border of the ſame Counties, & the aſſiſe ſhalbe tried by people of ỹ ſame Counties, in ſuch manner as hath bin vſed of common of paſture being in one Countie, & appendant to tenements in another County. 7.R.2.10.

8 The

8 The panels of ſpeciall Aſſiſes ſhal be arrayed, and a copie indented thereof deliuered by the Sherife to the plaintifes, tenants or defendants, by the ſpace of fiue daies at the leaſt before the Seſſion of the Juſtices, if they wil demaund it. And the bailifes of franchiſes ſhall make their returnes to the Sherifes of all ſuch ſpeciall aſſiſes fiue dayes before, vpon paine of forfeiture xl. l. to the K. by the ſaid Sherife, or Bailife, for euery default. 6. H. 6. 2. 42. E. 3. 11. Copies of panels ſhalbe deliuered to the parties.

9 If in Aſſiſe brought before Juſtices aſſigned, the Sherife be named a diſſeiſor, to the intent that he ſhall not ſerue the writ, but to haue the ſame directed to the Coroners, the tenant may plead, that the Sherife neither is, nor euer was diſſeiſor nor tenant of the tenements in demaund, but was named by colluſion, which being found by the Aſſiſe, the Juſtices ſhal abate the writ, and the plaintife ſhalbe amerced, 11. H. 6. 2. And if Aſſiſe, or other writ of plea of land be brought againſt the Lord of auntient demeane, or againſt the Maior, Bailifes, & Comminalty of Franchiſes, of lands within the ſame Franchiſes, which be neither diſſeiſors nor tenãts, but therein named to take away their franchiſe: firſt the Juſtices ſhall enquire by the Aſſiſe, whether the Lord, Maior, Bailifes, &c. be diſſeiſors or tenants (if they require it) or be named by colluſion. And if it be found that they be neither diſſeiſors nor tenants, but named by Colluſion, then the writ ſhalbe abated, & the plaintife amerced, notwithſtanding the other tenants or diſſeiſors be named and found in ſuch Aſſiſes or writs, 9. H. 4. 5. And if Aſſiſe or any perſonall action be ſued in the Kings Bench, Cõmon place, or before any other the Kings Juſtices, of any lands within any franchiſe or auntient demeſns wherof the iuriſdiction belongeth to the ſaid Lords, Maiors, Bailifes, &c. if the defendant make default to put the ſaid Lords, Maiors, Bailifes, &c. from their franchiſe, then the Juſtices at the requeſt of the Lords, Maiors, Bailifes, &c. ſhall make enquirie by the Aſſiſe &c. or by Inqueſt &c. And if it be found that ſuch defaults be made by Colluſion to exclude the Lords, Maiors, &c. of their Franchiſes, Cogniſance, or Juriſdiction, the writs ſhall be abated, and the plaintifs amerced: And the plaintifs, Lords, Maiors, Bailifs, &c. ſhal haue their challenges. 8. H. 6. 26. Lord of auntient demeine, Maiors, &c. named diſſeiſors. Default made to put the Maiors &c. from their iuriſdiction.

10 If he which is named a diſſeiſor, doth perſonally alledge any falſe exception, whereby the taking of the Aſſiſe may be deferred, viz. that at an other time aſſiſe of the ſaid tenements paſſed betwixt the ſaid parties, or that a writ of higher nature dependeth betwixt them of the ſame tenements, & doth vouch any Rolles of Record to warranty, & at the day giuen, he faile of his warrant, he ſhalbe adiudged a diſſeiſor without recogniſance of the Aſſiſe, and ſhal reſtore double dammages of that which is or after ſhalbe found, and alſo for his falſhod ſhal be one yeare impriſoned. But if the ſaid exception be alleadged by a Bailife, the taking of the Aſſiſe ſhall not therefore be deferred, nor iudgement vpon the reſtitution of the land and dammages: yet if the Lord of the ſame Bailife which was abſent, doe after come before the Juſtice which toke the Aſſiſe, and doth offer to proue by record & rolles, that Aſſiſe another time paſſed betwixt the ſame party of the ſame lands, or that the plaintife withdrew himſelfe in a like ſuit, or that a plée dependeth betwixt them by a writ of higher nature, there ſhalbe a writ awarded to bring the record before the Juſtices: and when the Juſtices do ſée that the record would haue preuailed before iudgement, and that thereby the plaintife ſhould haue bene excluded of his action, they ſhal immediatly warne the party, which firſt recouered to appeare at a day, at which day the defendant ſhal haue againe his ſeiſin and dammages which he firſt payed, with the dammages after the firſt iudgement giuen doubled, and he which firſt recouered ſhall be impriſoned at the Juſtices diſcretion. The like remedie ſhall the defendant haue againſt whom in his abſence an Aſſiſe paſſed, which ſheweth any dœds or releaſes, vpon the making wherof the Jurie was not, nor could be examined, becauſe there was no mention of them in pleading: for the Juſtices vpon A diſſeiſor by failing of a record vouched. Certificat of Aſſiſe.

the sight of those writings shal award a Scire facias against the party which recouered to appeare at a day, and also shall cause the Iurors of the same assise to come. And if they find those writings true, by verdict, or inrolement, he shalbe punished in forme aforesaid, which purchased assise contrarie to his own deed. West. 2. E. 1. 25.

Attachement in Assise. An Ore of v.s. price.

11 The Sheriffe shall not take an Ore of him which is disseised, but of the disseisor onely: And if there be diuers disseisors named in one writ, yet he shall take but one Ore, and he shal take an Ore but of the price of v.s. or els the price. West. 2. 13. E. 1. 26.

When Assise shalbe taken.

12 Assises of Nouel disseisin, Mortdancester, & darrein presentment, shalbe take in Aduent, Septuagesima, and Lent, aswell as enquests may be taken: & that at the speciall request of the king made to the bishops. West. 1. 3. E. 1. 48. Assises of Nouel disseisin, & Mortdancester, shalbe taken but in their Coũties & difficult causes shall be ended before the Iust. of the bench. And Assises of darreine Presentment, shall be taken and determined before the Iust. of the Bench. Mag. Char. 9. H. 3. 12. 13.

Difficult causes.

1 Where the plaintife in assise may abridge his plaint. S. Abridg. 1.

2 The remedy where the disseisor or disseisee dieth immediatly after the disseisin, or depending the suit. S. Age 1.

3 Where the tenant in Assise may make Atturney. S. Atturney 3.

4 The Iurors in Assise are not compellable to say precisely that it is a disseisin. S. Iurors 32.

5 For the pleading of Iointenancy in Assise. S. Iointenancy 1.

6 Where an Assise of common is maintenable. S. Approuements 3. Common. 1.

Attaint.

Attaint where the thing extendeth to xl. l.

VPon euery vntrue verdict giuen betwixt partie & partie in any suit, plaint, or demaund, before any Iust. or Iudges of record, where the thing in demand (& verdict thereupon giuen) extendeth to the value of xl. l. & concerneth not the ieoperdy of mans life, the party grieued by the same verdit, shal haue a writ of Attaint against euery person so giuing an vntrue verdict, & euery of them, and against the partie which shall haue a iudgement vpon the same verdict. And by the death of the partie, or any of the petit Iurie the said Attaint shall not abate, nor be deferred against the remnant as long as two of the said petit Iurie be aliue. And euery one that shall passe in the same Attaint, shall haue lands and tenements to the value of xx. Markes by yeare of freehold, out of auntient demesne. 23. H. 8. 3. S. 18. H. 6. 2.

Attaint abateth not by the death of the def. or any of the petit Iury

What lands each Iuror must dispend.

Proces in Attaint.

2 In the same Attaint there shalbe awarded against the petit Iurie, the partie, & the graund Iurie, summons, esummons & distresse infinite, which graund Iury shall be of like number as the graund Iurie is now &c. & vpon the distresse, which shalbe deliuered of record vpon the same, open proclamation shall be made in the Court where the distresse shall be awarded, more then xv. daies before the returne of the same distres, and euery such distresse shall be made vpon the land of euery of the said graund Iurie, as in other distresses is vsed. And in all the foresaid proces, such day shalbe giuen, as in a writ of dower, wherein no E. P. &c. 23. H. 8. 3.

Proclamatiõ.

The graund Iury taken by default of the defendant or petit Iurie

3 If the defendant or the petit Iurors, or any of them appeare not vpon the distresse, then the graund Iurie shalbe taken against them & euery of them, that shall so make default. And if any of the said petit Iurie appeare, then the party complainant shall assigne the false Serement of the first verdict vntruly giuen, whereunto they of the petit Iury shal haue no aunswere if they be the same persons, & the writ, proces, returne, & assignement good & lawfull (except that the demandant or plaintife in the same Attaint hath before bin nonsuit or discontinued his suit of Attaint taken for the same, or hath for the same verdict in a writ of Attaint had iudgement against the said petit Iury) but onely that they made true Serement, which issue

What pleas the petit Iury may plead.

shall

shalbe tried by xviij. of the said graund Jurie (for vtlary in an action, or cause, or excommengement pleaded in the plaintife or demaundant, is a void plea, whereunto he shall not be put to aunswere.) And the partie shall plead that they gaue true verdict, or any other matter, which shall be a sufficient Barre of the said Attaint: And that plea notwithstanding, ỹ graund Jurie shalbe taken without delay to enquire whether the first Jury gaue true verdict or no. 23.H.8.3. Stat. de Attinctis 13.E.2. What pleas the petit Jury may plead. What plea the defendant in Attaint shall plead.

4 And if they find that the said petit Jurie gaue an vntrue verdict, then euery of the said petit Jury shall forfeit xx.l. whereof one halfe shalbe to the King, and the other halfe to him that sueth, to be leuied by Capias ad satisfaciendum, Fieri facias, or Elegit, or by action of debt against euerie person of the petit Jury so forfeiting, and against his executors and administrators, hauing then sufficient goods of their said testator not administred. And euery of the said petit Jury, shall seuerally make fine by the discretion of the Justices before whom the said false Serement shalbe found after their seuerall offences, defaults, and sufficiency of euery of them. And those of the petit Jury so attainted, shall neuer be after in any credence, nor their oth accepted in any part. 23.H.8.3. The punishment of the petit Jury attainted.

5 If such plea, as the party pleadeth, which is a barre of the Attaint, be found or deemed against him, then the party that sueth, shal haue iudgment to be restored to that he lost, with his reasonable costs & damages. 23.H.8.3. 11.H.6.4. Judgement for the plaintife.

6 If a false verdict be giuen in any action, suit, or demand, before any Iust. &c. of record, of any thing personall, as debt, trespas, & other like, which shalbe vnder the value of xl.l. then the partie grieued shall haue Attaint with such proces, & pleas, & without delaies vt supra. And if the petit Jury be attainted, then euery of them shal forfeit v.l. to the King & party &c. & also make fine by the discretion of the Iust. and euery person that may dispend v. Marks by yere of freehold out of auncient demesne, or is worth C. markes in goods, is able to passe in the same Attaint. 23.H.8.3. Attaint of any thing personal vnder xl.l.

7 If there be not persons of such sufficiency within the shire or places, where any of the said Attaints shall be taken, as may passe in the same, then one Tales shalbe awarded vnto the Shire next adioining by the discretion of the Justices, &c. which shall be warned to appeare vpon like paines &c. and enabled to passe in the said Attaints, as if they were dwelling in the Shire where that same shalbe taken. 23.H.8.3. Tales into another Shire.

8 If the partie in Attaint giuen by this act, be nonsuit, or discontinue the same, he shall make fine and ransome by the discretion of the Justices before whom the said Attaint shalbe taken and depending. And the iudgement of restitution to the party grieued, suing this act, and execution of the same, shalbe had, and like iudgement for the defendant or tenant to be discharged of restitution, as in case of a graund Attaint hath bin vsed. 23.H.8.3. Judgement for the defendant where the plaintife is non suit, or doth discontinue.

9 All Attaints shalbe taken before the king in his Bench, or before the Iust. of the Common place, & in none other Courts. And Nisi prius shalbe graunted by discretion of the Iust. vpon the distresse. And euery of the said petit Jury, may appeare and answere by Atturney in the said Attaint. 23.H.8.3. Attaints where taken. Atturney in Attaint.

10 If there be diuers plaintifes or demaundants in an Attaint, the nonsuit or releas of any of them, shall not be preiudiciall to the residue, but they and euerie of them in such cases may be summoned & seuered, like as it is vsed, when there be diuers demaundants in actions reall. 23.H.8.3. 13.El.25. Summons & seuerance in Attaint.

11 The same lawes, actions, and remedy, ordained by this Act, shall be kept, for & to all them that be grieued by such vntrue verdicts of any inheritance in discent, reuersion, remainder, or of any freehold in reuersion or remainder. 23.H.8.3. 13.El. 25. 15.H.6.5. If tenant for terme of life, in dower, or by the courtesie or in taile after possibilitie of issue extinct, be impleaded, plead to Enquest, and lose by verdict, default, or in other maner, he to whom the reuersion of the same lands be at the time of Attaint of inheritance. He in the reuersion may haue Attaint of a verdict giuen against the particular tenant.

of the iudgement, his heires or succeſſors, ſhall haue a writ of Attaint, to attaint the Iurie, if he wil aſſigne the falſe Serement, as wel in the life of the ſaid tenants as after their death. 9.R.2.3.S.Error 1.

In what caſes Attaint will lye.

12 A writ of Attaint ſhalbe graunted, aſwell in plea of land of freehold, or any thing touching freehold, as in plea perſonall. 3.E.1.37. 34.E.3.7. And aſwell vpon the principall, as vpon the dammages in an action of treſpas. And in this and in all other caſes, the Juſtices ſhal not let to take the Attaint for the dammages not paid. 1.E.3.6. And Attaint ſhalbe graunted in pleas of Treſpas purſued as well by bill, as by writ before Juſtices of Record, without hauing regard to the quantity of the treſpaſſe. 5.Ed.3.7. 28.Ed.3.8. Niſi prius ſhalbe graunted in Attaint, but neither Eſſoine of the K. ſeruice, nor protection, ſhalbe allowed therein. And fiue daies in the yeare ſhalbe giuen before the Juſtices of the common Bench in the ſaid Juries at ỳ leaſt. 5.E.3.7. The partie grieued by any falſe verdict giuen in any action, ſuit, auowrie, preſcription, title or claime, made according to the Statute prouided for the limitation of preſcription, may haue an Attaint. 32.H.8.2.

Attaint ſued by bill in the Huſtings of London.

13 The partie grieued by any falſe verdict giuen in any of the Courts of the Citie of London, ſhall and may ſue Attaint by bill in the Huſtings of London, holden for common pleas before the Maior and Aldermen of the ſame Citie and thereupon a Precept ſhall be awarded by the ſame Maior to euery Alderman of the ſaid Citie, or his deputie in his abſence, to certifie the names of foure indifferent and diſcreet perſons of good fame, and euerie of them of ſubſtance of a C.l. or more, Citizens of the ſame Citie, dwelling in his ward, to the Maior and Aldermen of the ſaid City, at the Huſtings then next enſuing, of which perſons ſo certified, the ſaid Maior and fiue Aldermen, or mo, holding the ſame Court of Huſtings, ſhall impanell xlviij. perſons, and the Maior ſhall cauſe to be ſummoned the ſaid xlviij. and alſo the Iurors of the petit Jury, and the tenants or defendants in the ſaid bill of Attaint to appeare before the Maior and Aldermen in the ſame City, at the Huſtings of common pleas, then next to be holden in the ſame Citie. And if the ſame Attaint happen to remaine vntaken by default of Iurors by challenge or otherwiſe, vpon euerie Tales granted, the ſaid Maior and Aldermen ſhall impanell the ſaid perſons which were certified by the ſaid Aldermen, or their deputies, & omitted out of the ſaid panell, or put therein other perſons being Citizens of the ſaid Citie, and of the ſubſtance of one hundred pound or more. 11.H.7.21.

Who be ſufficient to paſſe vpon Attaint in London.

14 None of the petit Jurie, ne other parties named in any ſuch bill of Attaint ſhall haue any challenge to the Array, or to any perſon being impanelled for lacke of ſufficient goods or lands, 11.H.7.21. And euery perſon being a Citizen of the Citie of London, and worth in goods 400. Marks may be impanelled by the Shirifes of London in euery Attaint brought by writ, by vertue of the aforeſaid Statute of 23.H.8. vpon any verdict giuen by the citizens without any challenge for inſufficiencie of freehold of any of them. 37.H.8.5.

Pleas of Attaint commenced in London, ſhall be tried in London.

15 All the pleas pleaded for the tenant or defendant, or by any of the Iurors of the petit Jurie in the ſame Attaint, and triable by any Jurie, ſhalbe tried within the ſame City, and by the Enquells of the ſame, and in none other place ne county. 11.H.7.21. And the Juſtices vpon Attaint ſued by writ according to the foreſaid Statute of 23.H.8. vpon any verdict giuen by the citizens of London, ſhall ſit onely at the Guild hall of the ſame Citie, or at ſome other place within the ſame City, and there ſweare the graund Jurie, and take the verdicts. And the Citizens ſhall not be compelled to appeare in any ſuch Attaint taken vpon any vntrue verdict giuen in London, but only within the limits of the ſaid Citie. 37.H.8.5.

The iudgement where the petit Jury in London is attainted.

16 If the graund Jurie ſworne in the ſame Attaint, find that the petit Jurie haue giuen an vntrue verdict, then the iudgement ſhalbe giuen againſt the defendant as is vſed in Attaint ſued by writ at the common Law. And the iudgement

ſhall

ſhall be againſt the petit Iurie, that euery of them ſhall loſe xx.li. or more, by the diſcretion of the Maior and Aldermen of the ſaid Citie, keeping the Huſkings, to ſuch vſe, as other iſſues & penalties bin forfeited in any action or plaint commenced before the Maior and Aldermen &c. and his bodie to be impriſoned, there to remaine without baile or mainprize ſire Monethes, or leſſe, by the diſcretion of the Maior and Aldermen &c. and to be diſabled for euer to be ſworne in any Iury before any Temporall Iudge. But the Iudgement in ſuch Attaint ſhall not extend to any lands or tenements, ne to other puniſhment of the petit Iurie. 11.H.7.21.

The Iudgement where the firſt verdict is affirmed.

17 If it be found by the graund Iurie, that the petit Iurie haue giuen a true verdict, then the graund Iurie ſhall haue authoritie to inquire if any of the petit Iury receiued any ſumme of money, or other reward, or promiſe of money, or other reward, of the named defendants or tenants in the ſame Attaint, or of any other perſon, by the commaundement, couine, or aſſent of any of them, for the intent of their verdict giuing, whereupon the ſame Attaint is grounded: and after any ſuch corruption by the ſaid graund Iury found, then the Iuror that is ſo found defective in taking &c. ſhall pay to the plaintife named in the ſame Attaint, tenne times the value of the ſumme, or other reward ſo taken, or promiſed, and ſhall ſuffer impriſonment without baile or mainprize ſire Monethes, or leſſe, by the diſcretion of the ſaid Maior and Aldermen, and ſhal be diſabled for euer, to be ſworne in any Iurie, before any tempozall Iudge. And ſuch defendant or tenant in the ſame Attaint, ſhall pay to ſuch vſe as other penalties bin forfeited within the ſame Citie, ten times the value of the ſumme of money, or other reward, by him ſo giuen to any of the ſaid petit Iurie, and ſhall be impriſoned without baile or mainprize, during ſire Monethes, or leſſe, by the diſcretion of the ſaid Maior and Aldermen. 11.H. 7.21. S. Iurours 5.

Inquirie of the taking of rewards.

18 If any debts & damages or coſtes be recouered in any action whereupon ſuch Attaint is grounded, & by the ſame Attaint it be found, that the petit Iury hath giuen a falſe Verement, then for the recouery & reſtitution of ỳ ſame debt, damages & coſtes, the plaintife in euery Attaint ſhal & may ſue an action of Debt againſt the ſame def. or tenant, by writ, bill, or plaint &c. wherein no Wa. &c. 11.H.7.21.

Remedie for the debts and damages recouered in the firſt action.

19 If any plaintife in any ſuch Attaint be nonſuit, or if the firſt verement therein be affirmed, then he ſhall haue impriſonment, and make fine by the diſcretion of the Maior and Aldermen &c. and that fine ſhall be to the Maior and Comminaltie of the ſaid Citie. 11.H.7.21.

If the plaintife be nonſuit or the firſt verdict affirmed.

20 If there be two or mo plaintifes in any ſuch Attaint, and any of them die, or be nonſuit, the other ſhall be enabled to ſue for the proceeding in the ſame Attaint: and notwithſtanding the death of the defendant or tenant, or any of the petit Iury named in the ſame Attaint, ſo that there be two of the ſame petit Iurie on liue, the Attaint ſhall not abate. 11.H.7.21.

The Attaint ſhall not abate though one of the plaintifes dye, or be nonſuit.

21 Upon all Attaints commenced within the Citie of London vpon any record, wherein the triall and Enqueſt was by halfe tongue, the Maior and Alderman ſhal impanell the graund Iurie, the one halfe of Straungers, of good name, of goods to the value of a C.l. and more, inhabiting within the ſame Citie at large, and the reſidue of Citizens of the ſame value. 11.H.7.21.

Attaint per Medietatem linguæ.

22 It is at the libertie of all perſons, vpon an vntrue Verdict giuen in any Courtes of the Citie of London, to ſue their Attaint vpon the Statute made 23. H.8. or elſe vpon the Statute made 11.H.7. at their owne pleaſure. 23.H.8.3.

Libertie vpon whether Statute the partie will ſue Attaint.

1 What challenge is allowable in Attaint ſued by bill or writ in London. See Challenge 1.2.3.4.

2 What iſſues euery Iurour ſhall forfait, which appeareth not in Attaint. S. Iurours 27.

3 Attaint by an Heire within age vpon a Verdict paſt againſt him. S. Age 1.

4 Attaint vpon a falſe Verdict giuen in the Citie of Lincolné. 13.R.2.18. 5. H.5.5.

Attorney.

Suit of Court.

EVery Free man which oweth ſuit to the County, Tything, Hundred, & Wapentake, or to his Lords court, may freely make his Attorney to dos thoſe ſuits for him. Merton 20.H.3.10.

A generall Attorney.

2 Euery man which feareth to be impleaded before the Juſt. of the K. Bench, Common Place, Juſtices in Eire, or of Aſſiſes, or in any Countie before the Shirife, or in any Court Baron, may make a general Attorney to purſue for him in the foreſaid cauſes to be ſued by him, or againſt him, which Attorney hath power to proceed in the ſame ſuits, vntill they be ended or that his Maſter doth remoue him: And yet by this they ſhal not be excuſed, but they may be put in Juries and Aſſiſes before the ſame Juſtices. Weſt.2.13.Ed.1.10. A Commiſſion may be granted out of the Chauncerie to ſome ſufficient man, to receiue Attorneys for ſuch as be impleaded, dwelling farre of, or be vnable to trauaile. 27.E.1. And ſuch as depart the Realme by the kings licence, and be of good fame, may make generall Attorneys to appeare and aunſwere for them in Præmunire facias, and other writs, and to make other Attorneys vnder them, 7.R.2.14.

Aſſiſe.

3 The tenants in Aſſiſe of Nouel diſſeiſin, may make Attorneys if they will: And alſo they may plead by Baylifes, Stat. Eborum. And after the tenant hath appeared in Aſſiſe, Attaint, or Iuris vtrum, he cannot be eſſoined, but may make Attorney for him. Weſt.1. 3.Ed.1.41.

Attaint.

4 Euery of the petit Jury in Attaint may appeare and aunſwere by Attorney in the Attaint. 23.H.8.3. 13.Eliz.25.

Appeal.

5 The Appellant in any appeal of Murder, or death of a man, where Battel by the courſe of the common Law lyeth not, may make his Attorney, and appeare by the ſame in the ſaid appeal, after it is commenced, to the end and execution of the ſame. 3.H.7.1.

Suits where in Appeal lieth not.

6 The defendants may make Attorneys in ſuch ſuites where appeal lyeth not, ſo that if they be attainted in their abſence, the Shirife ſhall be commaunded to take them, and then they ſhall receiue the puniſhment that they ſhould haue had, if they had bin preſent when the iudgement was giuen. Glouceſt. 6. Ed.1.8.

Shirifes officers ſhall not be Atturneys.

7 No Vnderſhirife, Shirifes clarke, Shirifes receiuer, or Bailife, ſhall be Attorney in any of the kings Courts for the time he is in Office with any ſuch Shirife. 1.H.5.4.

Theſe officers ſhall not be Attorneys.

8 No Steward, Bailife, or Officer of any Lord of a Franchiſe, which hath retourne of writs, ſhall be Attorney in any plea within the ſame franchiſe. 4.H. 4.19.

None ſhall receiue Attorneys, but in ſuits depending before him.

9 If any Baron of the Erchequer, or Juſtice, or any of their Clarkes or Officers, ſhall receiue any Atorneys but onely in the pleas and ſuits depending before them and their fellowes, and in the Courts whete they are aſſigned, the ſame admiſſion is void. Carliſe, 15.Ed.2.

Attorneys for outlawed perſons diſeaſed.

10 Euery Juſtice of the one Bench and the other, and alſo the chiefe Baron of the Erchequer, haue authorities to examine outlawed perſons which be ſicke of any diſeaſe openly knowen, and to record Attorneys for them: But in a writ of Capias ad ſatisfaciendum, the common Law holdeth place. 7.H.4.13.

The puniſhment of Attorneys found in default.

Attorneys oath.

11 If any Attorney be openly found in default by record, or otherwiſe, he ſhall forſwere the Court, and neuer after be allowed to proſecute any ſuit in any of the kings Courts. And euery Attorney ſhall be ſworne truely to ſerue in their offices, and ſpecially to make no ſuit in any forrein County. 4.H.4.18.

12 In

12 In all ſuits wherein proces of Capias and Exigent lyeth, if the Attorney haue not his warrant of record, the ſame Terme that the Exigent is awarded, he ſhall loſe xl.ſ. to the king, if he be attainted thereof by examination of the Juſtices. 18. H. 6. 9. Warrant of Attorney entred of record.

13 Euery ſuch perſon which ſhall be Attorney for any other perſon or perſons being demaundant or plaintife, tenant or defendant, in any action or ſuit commenced in any of the Quenes Courts of Record at Weſtminſter, and plead to an iſſue in the ſame, ſhall deliuer, or cauſe to be deliuered, his lawfull warrant of Attorney to be entred of record for euery of the ſaid actions or ſuits wherein he is named Attorney, to the officer or his deputy ordeined for the receipt or entring thereof, in the ſame Terme, when the ſaid iſſue is entred of record in the ſaid Court, or before, vpon paine of forfaiting ten pounds for euery default for not deliuering of the ſaid warrant: The one moity to the Quene &c. the other to ſuch officer to whom, or in whoſe office the ſame warrant ſhould be deliuered &c. to be recouered by Action, B. I. &c. wherein no W. &c. E. or P. &c. And alſo further ſhall ſuffer ſuch impriſonment, as by the diſcretion of the Juſtices of the Court (where any ſuch default ſhall be made) ſhall be thought conuenient. 32. H. 8. 30. 2. Ed. 6. 22. 18. Eliz. 13. When the Attorney ſhal enter his warrant.

14 If any perſon or perſons ſhall be ſued, or informed againſt, vpon any penall Law, in any of the Courts of the Kings Bench, Common pleas, or Eſchequer, where ſuch perſon or perſons are baylable by law, or where by the leaue or forme of the Court ſuch perſon or perſons may appeare by Attorney: in all and euery ſuch cauſe the perſon or perſons ſo to be impleaded, ſhall and may at the day and time conteyned in the firſt proces ſerued for his apparance, appeare by Attorney of the ſame Court where the proces is retornable, to aunſwere and defend the ſame, and not be vrged to perſonall apparance, or to put in baile for the aunſwering of ſuch ſuit: any former law &c. notwithſtanding. 29. Eliz. 5. The ſame branch of the ſaid Act ſhall extend, and ſhall be interpreted to extend onely to the naturall Subiects borne, or to be borne within the dominions of the Quene, her heires & ſucceſſors, and to perſons made free Denizens, and to no others: Any thing therein contained &c. notwithſtanding. 31. Eliz. 10. The defendant in ſuits vpon penal ſtatutes may appeare by Attorney.

15 No Attorney, Sollicitor, or Seruant to any ſhalbe allowed from his Client, or Maſter, of, or for any fee giuen to any Sergeant, or Counſellor at law, or of, or for any ſumme or ſummes of money giuen for Copies to any Clerke, or Clerkes, or Officers in any Court or Courts of Record at Weſtminſter, vnleſſe he haue a Ticket ſubſcribed with the hand and name of the ſame Sergeant, or Counſellor, Clerke, or Clerkes, or Officers aforeſaid, teſtifying how much he hath receiued for his fee, or giuen, or paied for Copies, and at what time, and how often: And all Attornies, and Sollicitors, ſhall giue a true Bil vnto their Maſters, or Clients, or their aſſignes of all other charges, concerning the ſuites which they haue for them, ſubſcribed with his owne hand, and name, before ſuch time as they, or any of them ſhall charge their Clients with any the ſame fees, or charges. And if the Attorney or Sollicitor do, or ſhall willingly delay his Clients ſuites to worke his owne gayne, or demaund by his Bill any other ſummes of money or allowance vpon his accompt of any money which he hath not laied out, or diſburſed, in euery ſuch caſe, the party grieued ſhall haue his Action againſt ſuch Attorney, or Sollicitor, and recouer their coſtes and treble dammages. And the ſaid Attorney and Sollicitor ſhall be diſcharged from thenceforth from being an Attorney or Sollicitor any more. 3. Iac. 7. Attorney ſhall haue Ticket. A Bill of charge. Delaying a ſuit, or demaunding more then is due.

16 None ſhall from henceforth be admitted Attornyes in any the K. Courts of Record aforeſaid, but ſuch as haue been brought vp in the ſame Courts, or otherwiſe well practized in ſolliciting of cauſes, and haue been found by their dealings to be who only ſhal be Attornies.

to be skilfull, and of honest disposition: And none to be suffered to sollicite any cause or causes in any the Courts aforesaid, but onely such as are knowen to be men of sufficient and honest disposition. And no Attorney shall admit any other to follow any Suite in his name, vpon paine that both the Attorney, and he that followeth any such suit in his name, shall each of them forfait for such offence xx. li. to the K. and the partie grieued, to be recouered in any of the said Courts of Record by A. B. P. I. wherein no E. W. or P. &c. And the Attorney in such case shall be excluded from being an Attorney for euer thereafter. 3. Iac. 7.

Following of a suit in an others name.

1 How many Attornyes may be in Norfolke, Suffolke, and Norwich, See 33. H. 6. 7.

Auditour and Receiuer.

The Audite shall be proclaimed.

EVery of the Kings Auditours of the Exchequer, Duchie of Lancaster, and Court of Wardes and Liueries, shall yearely proclaime and declare in euery County within their seuerall limits, in three or fower Market Townes, or other places, by the space of xx. dayes before the Audite, when and where they will keepe their audits in the same Shire, or they shall forfait fiue pounds for euery offence to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. or P. &c. 33. H. 8. 39. See Accompt to the king 12.

Auditors fées for inrolment.

2 If any Auditor of the Exchequer, Duchy of Lancaster, or Court of Wards and Liueries, or any of his Clarkes, or other to their or any of their vse, shall take for the inrolment of any Letters patents, decrées of the same Courts, graunts, or Indentures of leases, or for the allowance of the same, aboue iij. s. iij. d. he so offending shall forfait vj. s. viij. d. for euery peny which he taketh aboue the foresaid summe, to the King and the Informer &c. to be recouered by A. I. &c. wherein no W. &c. E. or P. &c. And if any person do offer to any such Auditor any such Letters patents, decrées, leases &c. to be inrolled, he shall inroll the same, or asmuch thereof as shall appertaine to his office. 33. H. 8. 39.

What fées euery Receiuer shall take.

3 Euery Receiuer of the Exchequer, Duchy of Lancaster, and Court of Wards and Liueries, which shall pay to any person an Annuitie, pencion, or other rent, shall (if the same person vpon the receipt thereof will deliuer vnto him a sufficient Acquitance, sealed & signed, testifying the same receipt) receiue the same, without taking any reward therefore, vpon paine to forfait for euery peny or peny worth receiued vj. s. viij. d. And if the party doe not deliuer such a sufficient acquitance, but that the Receiuer, or his Clarke doth make the same, he shall haue therefore iij. d, and if he take aboue iij. d, he shall forfait for euery peny or peny worth so taken vj. s. viij. d. And if any Treasorer, Receiuer, or minister accomptant, or their deputies, which shall pay to any person any fée, annuitie, pencion, dutie, warrant, or rent, do retaine, receiue, or take of the party, to whom he shall pay the same, in way of reward, or otherwise, aboue iij. d, for euery pound that he shall pay, he shall forfait vj. s. viij. d, for euery peny or peny worth which he shall receiue ouer, to the partie grieued, to be recouered by A. B. or P. wherein no W. &c. E. or P. &c. 33. H. 8. 39. 7. Ed. 6. 1. S. Accomptants &c. to the king.

1 The kings Receiuers shal enter into bond with suerties to accompt &c. See Accompt. to the king 10.

2 For the Auditours & Receiuers precepts to Bailifes accomptants. S. Accompt. &c. 11. 12.

3 At what time the kings Receiuers shall accompt, and when they shall make payment. S. Accompt &c. 16. 17. 18.

4 When Auditors may commit accomptants to prison, S. Accompt 2.

Auowrie.

WHereſoeuer any manors, lands, tenements, and other hereditaments be holden by any perſon or perſons by rents, cuſtoms, or ſeruices, if the Lord of whom any ſuch manours, lands, tenements, or hereditaments be ſo holden, diſtraine vpon the ſame lands, for any ſuch rents, cuſtoms, or ſeruices, and replevin thereof be ſued, the Lord of whom the ſame lands, &c. be ſo holden may auow, or his bailife or ſeruant make conuſance, or iuſtifie for taking the ſaid diſtreſſe vpon the ſame lands, tenements, or hereditaments ſo holden, as in lands &c. within his fee or ſeignior, alleadging in the ſaid auowry, conuſance, & iuſtification, the ſame lands &c. to be holden of him without naming of any perſon certaine to be tenant of the ſame, and without making any auowrie, iuſtification, or conuſance vpon any perſon certaine. And likewiſe the Lord, baylife, or ſeruant ſhall make auowry, iuſtification, or conuſance in like manner and forme, vpon euery writ ſued of Second deliuerance. 21. H. 8. 19.

Auowry vpon the land without naming any perſon.

Auowry vpon the land in Second deliuerance.

2 Euery Auowant, and other perſon and perſons, that make any ſuch auowry, iuſtification, or conuſance, as bailife or ſeruant to any perſon or perſons in any Replegiare, or Second deliuerance, for rents, cuſtomes, ſeruices, or for dammage feſant, or other rents, vpon any diſtreſſe taken in any lands, or tenements, if the ſame auowrie, iuſtification, or conuſance be found for them, or the plaintife in the ſame be nonſuit, or otherwiſe barred, then they ſhall recouer their dammages and coſtes againſt the ſaid plaintifes, as the ſame plaitifes ſhould haue done if they had recouered therein againſt the ſaid defendants. 21. H. 8. 19. S. Dammages 8.

Auowant ſhal recouer coſtes and damages againſt the plaintife.

3 The ſaid plaintifes and defendants in the ſaid writs of Replegiare & Second deliuerance, and in euery of them, ſhall haue like pleas, & like ayde prayer in al ſuch auowries, conuſances, & iuſtifications, (pleas of Diſclaimer onely except) as they might haue had before the making of this Act, as though the ſaid auowry, conuſãce or iuſtification had bin made after the due order of the common Law. 21 H. 8. 19.

Such pleas & ayde prayer, as was at the common law.

4 All ſuch perſons as by the order of the Common Law may lawfully ioine to the plaintifes or defendants in the ſaid writs of Replegiare, or Second deliuerance, aſwell without proces, as by proces, ſhall ioyne vnto the ſaid plaintifes or defendants, aſwell without proces, as by proces, & haue like pleas, and like aduantage in all things, (Diſclaimer onely except) as they might haue done by the order of the common Law before the making of this Act. 21. H. 8. 19. See Repleuin.

Joyning in ayde.

1 Auowrie for Rentes after the eſtates in the ſame rents be determined. See Rents 1. 2. 3.

Auowſon.

WHereas for Aduowſons of Churches there be but three originall writs, that is to ſay, one writ of Right, and two of poſſeſſion, which be Darreine preſentment, and Quare impedit, and hitherto it hath bin vſed in the Realme, that when any hauing no right to preſent, had preſented to any Church whoſe Clerke was admitted, he that was verie Patron could not recouer his Aduowſon, but onely by a writ of Right, which ſhould be tried by Battaile, or by great Aſſiſe, whereby heires within age, either by fraud, or elſe by negligence of their Wardeins, and heires both of great and meane eſtate, either by negligence, or elſe by fraud of tenants by the Curteſie, tenants in Dower, or otherwiſe for terme of life, or for yeares, or in fee taile, were many times diſherited of their Aduowſons, or at the leaſt (which was the better for them) were driuen to their writ of Right, in which caſe hitherto they were without remedie: It is prouided, that ſuch

Vſurpation during particuler eſtates.

ſuch preſentments ſhal not be preiudicial to the right heirs, or to them vnto whom ſuch Auowſons ought to reuert after the death of other perſons: for as often as any hauing no right, doth preſent vnto a Church during the wardſhip of any heire within age, or during the intereſt of tenant by the courteſie, in dower, tenant for terme of life, or yeares, or tenant in taile, by the fraud or negligence of the wardein of the ſame heire, or of any of the aforeſaid tenants, the ſame preſentation ſhall not be ſo preiudiciall to the ſame heire, or to him to whom the reuerſion ſhal come, after the death of any of the aforeſaid tenants, but that after the heire ſhall come to his full age, or the Church become void after the death of any of the aforeſaid tenants, he to whom the ſame belongeth, ſhall haue the ſame action & recouerie by poſſeſſarie writ to recouer the Auowſon, as the laſt auncetter of ſuch heire being of ful age in the laſt auoydance falling before his death, or before the demiſe was made for a terme, or in tayle, ſhould haue had. And the like remedy is to be had of preſentations made to Churches of the inheritance of wiues, during their couerture. Alſo biſhops, archdeacons, parſons of Churches, & other Eccleſiaſticall perſons ſhall haue remedy by this Statute, if any man hauing no right do preſent vnto Churches belonging to their Spirituall dignities or Parſonages, during the vacation of ſuch dignities, parſonages &c. Weſtminſter 2. 13. Ed. 1. 5.

Vſurpation during vacation.

2 But this Statute ſhall not be vnderſtood ſo largely, that the foreſaid perſons for whoſe remedie it was ordained, ſhall haue their recouerie by ſurmiſing that the ſaid wardeins or tenants did fainedly defend the ſuit moued by, or againſt them: for iudgements giuen in the Kings Court, ſhall not be annulled vntill they be defeated by Errour, Attaint, or Certificate, which ſhall be freely graunt, Weſtm 2. 13. Ed. 1. 5.

Iudgements giuen, ſhall be auoyded by lawful means, and not by ſurmiſes.

3 If it happen after the death of the auncetter which preſented, that the ſame Auowſon be aſſigned in dower, or holden by the curteſie, and thoſe tenants preſent, and after their death the right heire be diſturbed to preſent, it is in his election, whither he will haue a Quare impedit, or Aſſiſe of Darrein preſentment: And in like ſort it is of Auowſon demiſed for terme of life, yeares, or in taile, Weſtm 2. 13. Ed. 1. 5.

Remedy for a diſturbance after a particuler eſtate ended.

4 If a man do ſuffer a recouerie of a Mano^r whereunto an Auowſon is appendant, he that doth recouer the ſame, ſhal haue a Quare impedit vpon a diſturbance, as he, againſt whom the recouery was, might haue had. 7. H. 8. 4.

The recouerer ſhall haue a Quare imp of the Auowſon.

5 If there be agreement made betwixt ſeuerall perſons which doe claime the Auowſon of a Church, and inrolled before the Iuſtices, or by a fine, in this maner, That the one ſhall firſt preſent, and at the next auoydance an other, and at the third, a third, and ſo further, and when one hath preſented for his turne, according to the agreement, and at the next auoydance he, to whom the ſecond preſentation belongeth, is diſturbed by any that was partie vnto the agreement, or ſome other in his ſteade, he that is diſturbed ſhall not neede to ſue a Quare impedit, but ſhall haue recourſe to the Roll, or fine, and if the agreement be there found, he ſhall haue a Scire facias to warne the diſturber to appeare within xv. dayes, or three weekes, according to the diſtance of the place, to ſhew if he haue any thing to ſay why the partie diſturbed ſhould not recouer his preſentation. And if he appeare not, or do appeare, and can ſay nothing why the party diſturbed ſhould not recouer his preſentation, by reaſon of any deede after the agreement made or inrolled, or or the fine, he ſhall recouer his preſentation with his dammages, Weſtminſter 2. 13. Ed. 1. 5.

Preſentation by compoſition.

6 When an Auowſon deſcendeth vnto Parceners, though one preſent twice, & vſurpeth vpon his coheire, yet he that was negligent ſhall not be clercly barred, but an other time ſhall haue his turne to preſent when it falleth. Weſtm 2. 13. Ed. 1. 5.

Vſurpation by Parceners

7 If

7 If the defendant doe except in Aſſiſe of Darrein preſentmeut, or Quare impedit, that the Church is full of his owne preſentation, the ſuit ſhall not remaine by reaſon of that plenartie, ſo that the writ be purchaſed within ſix Moneths, though he cannot recouer his preſentation within ſix Moneths, Weſtm 2.13.Ed.1.5. Plenartie of the defendants preſentment.

8 Damages ſhalbe awarded for two yeares value of the Church, in a Quare impedit and Darrein preſentment, if ſix Moneths do paſſe by any mans diſturbance, ſo that the Biſhop do conferre, and the verie Patron doth loſe his preſentation for that time: And if the diſturber haue not wherewith to reſtore dammages, he ſhalbe two yeares impriſoned. If the ſix Moneths be not paſt, but the Auowſon is recouered within that time, then damages ſhalbe awarded to halfe a yéres value of the Church, and the diſturber ſhalbe halfe a yeare impriſoned, Weſtm 2.13.Ed.1.5.S. Prerogatiue 9. Damages in Quare impᵈ, or in Aſſiſe of Darrein preſentment.

9 When the perſon of any Church is diſturbed to demaund Tithes in the next Parith by a writ of Indicauit, the Patron of the Parſon ſo diſturbed ſhall haue a writ to demaund the Auowſon of the Tithes in queſtion. And when it is diſproued, the ſuit ſhall ſo farre forth proceed in the Spiritual Court, as it was diſproued in the Kings Court, Weſtm 2. 13. Ed.1.5. See there that writs will lie of Chappels, Prebends, Vicarages, Hoſpitals, Abbeys, Priories, and other houſes, which be of other mens Auowſons.

Badger, Lader, Carrier, Drouer.

IF any Licence ſhall be made to any Badger, Lader, Bidder, or Carier of corne, Drouer of cattell, buyer or tranſporter of corne & graine, butter or cheeſe, otherwiſe then in the generall & open Quarter ſeſſions of the peace holden in the Shire where the party admitted, aſſigned, or allowed doth, & by the ſpace of ſix yeares before the Teſte of his licence, hath dwelled, or other then to ſuch perſon as is, or hath bẽn married, is a houſholder, no houſhold ſeruant or retainer, & thirty yeres of age at ẏ leaſt, or to haue continuance for more then one yere, or which beareth not date the day and place where the Seſſions be holden, or is not ſigned & ſealed with the hands and ſeales of three Juſtices of the peace, being preſent at the ſame Seſſions at the leaſt, whereof one to be of the Quorum, the ſame licence ſhalbe void, and the party which taketh the ſame ſhall forfeit fiue pounds to the Quéne & J. to be recouered by A. J. &c. wherein no W. &c. E. or P. &c. 5. Eliz. 12. 13. Eliz. 25. To whom & where a Badgers licence ſhalbe made.

2 No perſon ſhal vpon pain of v. l. to be forfeited and recouered as is aforeſaid, by authoritie of ſuch licence buy any corne out of open Faire or market to ſell the ſame againe, except he be thereunto ſpecially licenced by expreſſe wordes in his licence, 5. Eliz. 12. 13. Eliz. 25. Licence to buy corne out of a Market.

3 All licences made to the ſaid Badgers, Laders, Drouers, &c. and all Recogniſances taken of them by the Juſtices of peace in their Seſſions (that they ſhall not doe any thing contrary to the ſtatute 5. Ed. 6. 14. prouided againſt forſtallers) ſhall be made and written by the Clerke of the peace of the ſame Countie, or his Deputie, and none other perſon, and the Clerke ſhall haue 12. d. for the licence, and 8. d. for the recogniſance, and for the regiſtring of them both 4. d. at the moſt, for which fée the Clerke or his deputie ſhall kéepe a Regiſter booke, and therein ſhall write the the names, ſurnames, and dwelling places of ſuch as be licenced, with a briefe entry of the licence, and of the day, time, and place where it was granted, which book he ſhall bring to euery Seſſions that it may appeare what number of licences be granted. 5. Eliz. 12. 13. Eliz. 25. Licences and recogniſances ſhalbe regiſtred.

4 This Act ſhall not extend to preiudice the liberties of any City or Town corporat, but euery of them may lawfully aſſigne & licence purueiors for the prouiſion of the ſame City or Town corporat, as they might haue done before &c. neither ſhal this Purueiors for cities and townes corporate.

this Act be prejudiciall to the inhabitants within the Counties of Westmerland, Cumberland, Lancaster, Chester, Yorke, or any of them, but they may doe as they haue vsed to doe. 5. Eliz. 12. 13. Eliz. 25. S. Forestallers. Iustices of peace 32. 33.

Bankrupts.

who shalbe adiudged a Bankrupt.

ALL and euery person and persons, vsing, or that shall vse the trade of Merchandize, by way of bargaining, exchange, bartrie, cheuisance, or otherwise in grosse, or by retaile, or seeking, his, her, or their trade of lyuing by buying & selling, and being a Subiect borne of this Realme, or any the Kings dominions, or denizen, who at any time sithence the first day of this Parliament, or at any time hereafter shall depart the Realme, or begin to keepe his or her house or houses, or otherwise to absent him, or her selfe, or take Sanctuarie, or suffer him, or her selfe willingly to be arrested for any debt, or other thing, not growen or due for money deliuered, wares sold, or any other iust or lawfull cause, or good consideratiō or purpose: Or hath, or will suffer him or her selfe to be outlawed, or yeeld him or her selfe to prison or willingly or fraudulently hath, or shall procure him, or her selfe to be arrested, or his or her goods, mony, or chattels to be attached or sequestred, or depart from his or her dwelling house, or make or cause to be made any fraudulent grant or conueiance of his, her, or their lands, tenements, goods, or chattels, to the intent, or whereby his, her, or their creditors being Subiects borne as aforesaid, shal or may be defeated, or delaied, for the recouery of their iust and true debts: Or being arrested for debt, shall after his or her arrest, lie in prison vj. moneths or more vpon that arrest, or vpon any other arrest, or detention in prison for debt, and lie in prison fiue moneths vpon such arrest or detention, shalbe accompted & adiudged a Bankrupt to all intents and purposes. And the like Commissions, Orders, Benefits, & remedies which are and be prouided and limited by the statute made Añ 13. El. 7. against any Bankrupt therin described, or for, or concerning his, her, or their lāds, tenements, hereditaments, fees, annuities, offices, goods, cattels, wares, merchandizes, and debts, or any of them, shalbe had, pursued, taken, and erpounded against such person & persons that are herein erpressed to be Bankrupts, his, her, or their lands, tenemēts, hereditaments, fees, annuities, offices, goods, cattels, wares, merchandizes, & debts, in such like maner & forme, as the same ought or might haue bene, if the persons herein discribed to be Bankrupts, had bin described to bankrupts according to the intent of the said former statute. 1. Iac. 15.

Quære.

Cōmissioners shal take order for bankrupts bodies, lands, and goods.

2 The Lord Chancellor, or keeper of the great Seale, vpon complaint to him made in writing, against any such person being Bankrupt as is aforesaid, hath authoritie by Commission vnder the Seale, to assigne such honest and discrete persons, as shall seeme to him good, who, or the most part of them shal haue authority to take such order with the bodie of such person, whersoeuer he or shee may be had, either in house, Sanctuarie, or else where, as well by imprisonment of his bodie, as with his lands, tenements, and hereditaments, as well copie or customarie hold as freehold, which he shall haue in his owne right before he became Bankrupt, as also with all such lands, tenements, and hereditaments, as he hath purchased or obtained for money or other recompence, ioyntly with his wife, child, or children, to the only vse of such offendor, or of, or for such vse, interest, right, or title, as such offendor then shall haue in the same, which he may lawfully depart withall, or with any person or persōs of trust to any secret vse of such offendor: And also with his mony, goods, cattels, wares, merchandizes, and debts whersoeuer they may be found or known, and cause the said lands, tenements, fees, annuities, offices, goods, cattels, wares, marchandizes, and debts to be serched, viewed, rented, & appraised to the best value they may, & by deed indented, inrolled in one of the Q. courts of Record, to

make

make ſale of the ſaid lands, tenements, & hereditaments, and of al deeds, euidences, and writings, touching onely the ſame, belonging to any ſuch offendor or debtor, & alſo of all fees, annuities, offices, goods, & cattels, or otherwiſe to order the ſame for the true ſatisfaction & paiment of the ſame creditors, that is to ſay, to euery of ỹ ſaid creditors a portion, rate and rate like, according to the quantity of his debts. And euery direction, order, bargain, ſale, and other things done by the ſaid perſon ſo authorized, as is aforeſaid, in forme aforeſaid, ſhalbe good in law to all intents againſt the ſaid offendor or debtor, his wife, heires, and children, and ſuch perſons, as by ſuch ioint purchaſe with the offendor, ſhall haue any eſtate or intereſt in the premiſſes, and againſt all other perſons claiming by, from, or vnder ſuch offendor or debtor, by any Act, had, made, or done, after he ſhall become Bankrupt, as is aforeſaid, and alſo againſt the Lords of the Manors, whereof the ſaid Copyhold or Cuſtomarie lands be holden, their heires, ſucceſſors, and aſſignes, and euery of them. 13. Eliz. 7.

Vendees of copiholds ſhall compound with the Lords of the manors.

3 All perſons to whom any ſuch ſale of Copihold or Cuſtomarie lands ſhall bee made, ſhall (before they ſhall enter or take any profit of the ſame) compound with the Lords of the Manors, of whom the ſame ſhal be holden, for ſuch fines or incombe as heretofore hath bin accuſtomed to be paid therfore. And vpon euery ſuch compoſition, the ſaid Lords at the next court to be holden, at, or for the ſaid Manors, ſhall not only graunt vnto the ſaid vendee or vendees vpon requeſt, ỹ ſame Copy or Cuſtomarie lands, by copy of Court roll of the ſame manors, for ſuch eſtate or intereſt as to them ſhalbe ſo ſold, & reſeruing the ancient rents, cuſtomes, & ſeruices: but alſo in the ſame Court admit them tenants of the ſame copy or cuſtomarie lands &c. as other copiholders of the ſame Manors haue beene wont to be admitted, & to receiue their fealtie accordingly. 13. El. 7.

Cõmiſſioners ſhall declare how they haue beſtowed the Bankrupts goods &c.

4 Such of the ſaid Commiſſioners as ſhall put the ſaid Cõmiſſion in execution, ſhall vpon lawful requeſt to thẽ made by the ſaid Bankrupts, not only make a true declaration to the ſame Bankrupts of the imploying & beſtowing of their ſaid lãds, tenements, offices, fees, goods, cattels & debts ſo paid to their ſaid creditors, but alſo make paiment of the ouerplus of the ſame (if any ſuch ſhalbe) to ỹ ſaid Bankrupts, their executors, adminiſtrators, or aſſignes. 13. El. 7. S. 20.

Examination of ſuch as haue Bankrupts goods, or be indebted to them.

5 If after any ſuch act or offence committed, and complaint thereof made to the ſaid commiſſioners, or the more part of them by any partie grieued, as is aforeſaid, concerning the Premiſſes, knowing, ſuppoſing, or ſuſpecting any of the goods, cattels, wares, marchandizes, or debts of ſuch offendor or debtor, to be in cuſtody, vſe, or poſſeſſion of any perſon, or any perſon to be indebted to any ſuch offendor, doe make relation thereof to the ſaid Commiſſioners, or the more part of them: Then the ſaid Commiſſioners, or the more part of them, haue full power to ſend for, and call before them by ſuch Proces, meanes, or waies, as they ſhal thinke conuenient, euery ſuch perſon ſo knowne, ſuſpected, or ſuppoſed to haue any goods, debts, &c. in his cuſtodie &c. or ſuppoſed to be indebted to ſuch offendor, and vpon his appearance to examine him as well by his oath as otherwiſe, by ſuch meanes as the ſaid Commiſſioners or &c. ſhall thinke meet for and vpon the ſpecialtie, certaintie, true declaration and knowledge of all and ſingular ſuch goods and debts of any ſuch offendor as be ſuſpected to be in his cuſtodie, vſe, occupation, or poſſeſſion, and all ſuch debts as by himſelfe ſhall be ſuppoſed to be owing to any ſuch offendor. And if any ſuch perſon vpon ſuch examination doe not diſcloſe plainely and declare the whole truth of ſuch things as he ſhall be examined of, concerning the Premiſſes to his knowledge, or do denie to ſweare: Then euery ſuch perſon denying to ſweare, or being examined do not declare the whole truth concerning the premiſſes, vpon due proofe thereof to be made, before the ſaid Commiſſioners, or &c. by witneſſe examination, or otherwiſe, as to the ſame Commiſſioners, or &c. ſhal ſeeme ſufficient,

shal forfeit the double value of all such goods, cattels, wares, marchandizes, & debts, by them so concealed, & not plainely & wholly declared, which forfeiture shalbe leuied by the said Commissioners, or &c. of the lands &c. goods &c. of such person so denying to sweare, or not disclosing the whole truth by such meanes, & in such manner & forme, as is before limitted for the principall offendor, the same forf. to be imployed to & for the satisfaction of the debts of the said Creditors, in such like manner, rate & forme, as is aboue declared, concerning the ordering of the lands & tenements, offices, fées, goods, and cattels of such offendor or debtor, as is aforesaid. 13. Eliz. 7. S. 16.

Fraudulent possessing of Bankrupts lands & goods.

6 If at any time before or after that any such person departeth the Realme, or shall kéepe his house, or otherwise absent himselfe, or take sanctuarie, or suffer himselfe to be arrested, outlawed, or yéeld his body to prison, any person do fraudulently by couin claime, demaund, recouer, possesse or detaine any debts, duties, goods, cattels, lands, or tenements, by writing, trust, or otherwise, which were or shall be due or appertaine to any such offendor, other then such as he can & doth proue to be due, by right & conscience in forme aforesaid, for money paid, wares deliuered, or other iust consideration to the iust value therof, before the said Commissioners or &c. and the same to proceéd (bona fide) without fraud or couin, then euery such person so craftily demaunding, clayming, hauing, or possessing any such debt, shall forfeit double as much as he shall so claime, demaund, detaine or possesse, which said forf. shall bée leuied, recouered, and imployed in manner and forme before rehearsed. 13. El. 7.

How the ouerplus of the forfeiture shall be imployed after the creditors payed.

7 If it shall fortune the creditors of any such Bankrupt to be satisfied & paied of their debts & duties, of, or with the proper lãds, goods, & debts of the said Bãkrupts, or of, or with the same, & some part of the forf. of the said double values, to be forfeited as is aforesaid, & that there shall remaine an ouerplus of the said forf. of the said double values, thẽ the one moity of the said ouerplus shalbe by the said Commissioners so executing the said Commission within conuenient time after the leuying therof, paid vnto the Q. &c. and the other moity shalbe distributed amongst ỳ poore within ỳ Hospitals in euery City, Towne, or County, where any such Bankrupt shall happen to be. 13. Eliz. 7.

A remedie for him which departeth from his house.

8 If any such person indebted, do of purpose withdraw himselfe from his vsual mansion house, then vpon complaint therof made to the said Commissioners, the same Commissioners or the more part of them haue full power to award fiue Proclamations, to be made in the Qu. name vpon fiue sundry market dayes, in such places nére the place where such Bankrupt hath most commonly dwelled, or made his abode, commaunding him by the same Proclamations in the Quénes name, to returne with all conuenient spéed, and to yéeld his body before the said Commissioners, or one of them, at such time and place, as by the said Proclamation shall be appointed. And if the said person do not according to such Proclamation repaire & yéeld his body as is aforesaid, then the body of euery such offendor shal be adiudged to all intents out of the Qu. protection. And also euery person that shall willingly and wittingly helpe to hide or conuey, or shall willingly and wittingly receiue, detaine, or kéepe secretly any person so demaunded by Proclamation, shal suffer such paines by imprisonment of his body, or pay such fine to the Quéene, her heires and successors, as to the Lord Chancellor, or Lord Keeper &c. (being informed therof by the Commissioners, or the more part of them) shall séeme conuenient for his said offence. 13. El. 7.

Conueying or hiding him which is demaunded by Proclamat.

A remedie for the creditors which be not fully satisfied, according to this statute.

9 If the Creditors of any such offẽdor or debtor &c. be not fully satisfied or otherwise contented for their debts and duties by the meanes before specified, then the said Creditors and euery of them, shall and may haue their remedy for the recouery and leuying of the residue of the said debts or duties, whereof they shal not be fully satis-

ſatiſfied in forme aforeſaid, againſt the ſaid offendor, in like manner and forme, as they ſhould & might haue had before the making of this Act. And the ſaid Creditors and euery of them ſhalbe onely barred and excluded by vertue of this Act, of and for euery ſuch part of the ſaid debts and duties, as ſhal be paid or deliuered vnto them, by order of the ſaid perſons as is aforeſaid, and of no more portion or parcel therof. 13. Eliz. 7.

Extending of lands & goods diſcended vnto or purchaſed by a Bankrupt.

10 If any perſon declared to be a Bankrupt by this Act, ſhall at any time after purchaſe any lands, tenements, hereditaments, free, or copie, offices, fees, goods, or cattels, or that any ſuch ſhall diſcend, reuert, or by any meanes come to him, before his debts due to his Creditors ſhalbe fully paied, or otherwiſe agreed for: Then the ſame lands, goods, cattels, &c. ſhall by the ſaid Commiſſioners, or ỳ more part of thē, be bargained, ſold, extended, deliuered, & vſed for, & towards the paiment of the ſaid Creditors, in ſuch like manner as other the lands, cattels, &c. of the ſaid Bankrupts which they had, when they were declared firſt to be Bankrupts, ſhould or might haue bin by vertue of this Act. 13. El. 7.

Lands conueyed away before he became Bankrupt.

11 This Act ſhall not extend to any lands, tenements, or hereditaments, free or copyhold, which ſhal be aſſured by any Bankrupt, before he become Bankrupt, ſo alwaies that ſuch aſſurance be made (bona fide) and not to the vſe of the Bankrupt himſelfe onely, or of his heires, and that the parties to whoſe vſe ſuch aſſurance ſhalbe made, be not, at, or before the making of ſuch aſſurance, priuie or conſenting to the fraudulent purpoſe of any ſuch Bankrupt to deceiue his Creditors. 13. Eliz. 7.

New creditors may partake with the former.

12 It ſhalbe lawfull for any of the creditors of the ſaid Bankrupt within foure monthes after ſuch Commiſſion ſhalbe ſued forth, & vntill diſtribution ſhal be made by the ſaid Commiſſioners for the paiment of the Bankrupts debt, as in ſuch caſe hath bin vſed, to partake & ioyne with the other creditors, ỳ ſhall ſue forth any ſuch Commiſſion, for ſatiſfaction & paiment of his, her, or their debts, to him or them owing, without any hinderance, let, or diſturbance of any of the ſame Commiſſioners, or of any of the other creditors of any ſuch bankrupts, the ſame creditors ſo cōming in to contribute to the charges of the ſaid Commiſſion. And if the Creditors come not within foure moneths, then the Commiſſioners to haue power to diſtribute. 1. Iac. 15.

Transferring of lāds, goods, or debts, into others names.

13 If any perſon which hereafter is or ſhalbe a Bankrupt, by the intent of this ſtatute, ſhall conuey, or procure, or cauſe to be conueied to any of his children, or other perſon or perſons, any manors, lands, tenements, hereditamēts, offices, fees, annuities, leaſes, goods, chattels, or tranſferre his debts into other mens names: except the ſame ſhalbe purchaſed, conueied, or tranſferred, for, or vpon marriage of any of his, or their children, both the parties married being of the yeres of conſent, or ſome valuable conſideration: it ſhalbe in the power & authority of the Commiſſioners on this behalfe to be appointed, or the more part of them, to bargaine, ſell, graunt, conuey, demiſe, or otherwiſe to diſpoſe thereof, in as ample manner, as if the ſaid Bankrupt had bēn actually ſeiſed or poſſeſſed thereof, or the debts were in his owne name, or the like eſtate or intereſt to his or their own vſe, at ſuch time as hē or ſhē became Bankrupt. And euery ſuch graunt, bargaine, ſale, conueyance, & diſpoſition of the ſaid Commiſſioners, or of the greater part of thē, ſhalbe good and auaileable to al intents, conſtructions, & purpoſes in law, againſt the offendor or offendors, his heires, executors, adminiſtrators, or aſſignes, & ſuch children & perſons as ſhalbe ſubiect to this ſtatute, and againſt all other perſon & perſons claiming by, from, or vnder ſuch offendor or offendors, or ſuch ſaid other perſons to whom ſuch conueyance ſhall be made by the ſaid Bankrupt, or by his meanes or procurement. 1. Iac. 15.

14 The ſaid Commiſſioners may call before them, or the greater part of them, the ſaid Bankrupt: and if vpon lawfull warning made or left in writing at three ſeuerall times at the dwelling place or houſe where the ſaid Bankrupt, his wife, or familie, for the moſt part of his abode did lodge or remaine, within one yeare before hee, ſhee, or they became Bankrupt, the ſaid Bankrupt ſhall not appeare before the ſaid Commiſſioners, or the greater part of them: Then & from thenceforth it ſhalbe lawfull for the greater number of the ſaid Commiſſioners to appoint to proclaime the ſaid party a Bankrupt, at ſuch publike place, or places, where the ſaid Commiſſioners, or the greater number of them ſhall thinke meete, warning him, her, or them to appeare before them vpō the ſaid Commiſſion at ſome time appointed. And if vpon fiue ſeuerall proclamations made in ſome publike place, the party offending appeare not before the ſaid Commiſſioners, & yeeld his, hir, or their bodies to them, or ſome of them: the ſaid Commiſſioners, or the greater part of thē ſhall or may award a warrant to ſuch fit perſon or perſons as they ſhall think meet and requiſite, to apprehend the body and bodies of the ſaid offendor and offendors, and to bring him, her, or them ſo offending, before the ſayd Commiſſioners, whereſoeuer the ſaid party or parties offending may be found, in place priuiledged, or not, to be examined by the ſaid Commiſſioners, or the greater part of them. 1. Iac. 15.

Proclaiming & apprehending a Bankrupt.

15 It ſhall be lawfull for the ſaid Commiſſioners, or the greater part of them, to examine the ſaid offendor or offendors, vpon ſuch interrogatories, touching the lands, tenements, goods, chattels, debts, bils, bonds, bookes of accompt, and ſuch other things as may tend to diſcloſe his, her, or their eſtate, or the ſecret graunts, conueyances, and eloigning of his, her, or their lands, tenements, goods, money, and debts, as they ſhall thinke meet. And if therein the offendor or offendors ſhall refuſe to be examined, or to anſwer fully to euery interrogatorie to him to be miniſtred by the ſaid Commiſſioners, or the greater part of them, It ſhall be lawfull for the ſaid Commiſſioners, or the greater part of them, to commit the ſaid offendor or offendors to ſome ſtrait or cloſe impriſonment, there to remaine, vntill hee, ſhee, or they ſhall better conforme him or her ſelfe. And if vpon his, her, or their examination it ſhall appeare, that hee, ſhee, or they haue committed any wilfull or corrupt periurie, tending to the hurt or dammage of the creditors of the ſaid Bankrupt, to the value of x.l. of lawfull money of England, or aboue, the partie ſo offending, ſhall or may thereof be indited in any of the Kings Courts of Record, and being lawfully conuicted thereof, ſhall ſtand vpon the pillorie in ſome publicke place by the ſpace of two houres, and haue one of his eares nailed to the pillory, and cut off. 1. Iac. 15.

Examination of a Bankrupt.

A Bankrupt refuſing to anſwer to interrogatories.

A Bankrupt committing periurie.

16 If any perſon or perſons being knowne, ſuppoſed, or ſuſpected to haue or detaine any part of the landes, tenements, or hereditaments, goods, chattels, or debts of the ſaid Bankrupt, or to be indebted to or for the benefit of the ſaid Bankrupt, ſhal after lawfull warning to the ſaid perſon or perſons giuen to come before the ſaid Commiſſioners, or the greater part of them, to bee examined according to the intent of the ſaid Statute, refuſe to come, or ſhall not come before ẏ ſaid Commiſſioners at the time appointed, hauing no lawfull impediment (ſuch as ſhall bee admitted and allowed of by the ſaid Commiſſioners, or the more part of them, and which ſhalbe then ſignified or made known to ẏ ſaid Commiſſioners, at the time of their aſſembly) Or that any ſuch perſon or perſons hauing knowledge or warning of any other aſſembly or meeting of the ſaid Commiſſioners again, ſhall not come & appeare before them, at ſuch time as he or ſhe lawfully may come, hauing no ſuch lawfull impedimēt as ſhalbe thē made knowne to ẏ ſaid Cōmiſſioners, & by thē admitted & allowed of as is aforeſaid: or being come before thē, ſhal refuſe to be ſworn,

Examination of ſuch as haue Bankrupts goods, or be indebted vnto them.

and

and to make anſwer to ſuch interrogatories as ſhalbe miniſtred vnto him, or them, according to the true meaning of the ſaid Statute made 13. Eliz. or of this Act: Then it ſhalbe lawfull for the ſaid Commiſſioners, or for the greater part of them, to commit ſuch to ward and priſon, as to them or the greater part of them ſhall bee thought meet, all ſuch perſon & perſons as ſhal ſo refuſe to be ſworne and make anſwer to ſuch interrogatories as ſhall be ſo miniſtred, as is aforeſaid, & alſo to direct their warrants to ſuch perſon or perſons, as to them, or ỳ greater part of them ſhall be thought meet, to apprehend & arreſt ſuch perſon or perſons, as ſhall refuſe to appeare before them, as aforeſaid, & to bring him, her, or them before the ſaid Commiſſioners, or the greater part of them, to be examined as aboueſaid, and vpō his, her, or their refuſall to come or be examined before the ſaid Cōmiſſioners, as aforeſaid, to commit the ſaid party ſo refuſing to ſuch priſon, as the ſaid Commiſſioners, or the greater part of them ſhall thinke meet, there to remaine without baile or mainprize, vntill ſuch time as the ſaid perſon ſo refuſing to come, or to be ſworne to anſwer before the ſaid Commiſſioners, ſhall ſubmit him or her ſelfe to the ſaid Commiſſioners, & be by them examined, according to the true intent of the ſaid ſtatute, and of this Act. 1. Iac. 15.

17 Prouided alwaies, that ſuch witneſſes as ſhalbe ſent for, ſhal haue ſuch coſts and charges as the Commiſſioners in their diſcretion ſhall thinke meet: The ſame charges to be ratably borne by the Creditors of the ſaid Bankrupt, according to the proportion of each of their ſeuerall debts. And if any perſon or perſons, other then the Bankrupt, either by ſuborneation, vnlawfull procurement, ſiniſter perſuaſion, or meanes of any others, or by his owne act, conſent, or agreement, ſhall wilfully & corruptly commit any manner of wilfull periurie, by his depoſition to be taken before the ſaid Commiſſioners, or the greater part of thē, as aforeſaid, Then the party or parties ſo offending, & all & euery perſon & perſons that ſhal vnlawfully & corruptly procure any ſuch vnlawfull, wilfull, and corrupt periurie, ſhall or may therefore be indicted in any of the Kings Courts of Record, & after his or their conuiction thereof, ſhall incurre ſuch forfeiture, & receiue & haue ſuch paines & puniſhment as are limitted by the Statute made concerning Periurie. Anno 5. Eliz. 9. 1. Iac. 15.

Witneſſes allowed their charges.

Periurie.

18 All and euery ſumme and ſummes of money, which ſhall bee forfeited by force of this act, ſhall be ſued for, and recouered by the ſaid Creditors onely, or any of them that will ſue for the ſame, by A. B. P. or J. in any of the K. Courts of Record, and the ſumme or ſummes of money ſo recouered (the charges of ſuite being deducted) ſhalbe diuided towards the payment of the Creditors of the Bankrupt. 1. Iac. 15.

The forfeitures.

19 The Commiſſioners of Bankrupts, or the greater part of them, ſhall haue power to graunt or aſſigne, or otherwiſe to order or diſpoſe, all or any of the debts due, or to be due, to or for the benefit of ỳ ſaid Bankrupt, by what perſon or perſons whatſoeuer, or in what manner or forme ſoeuer, to the vſe of the Creditors of the ſaid Bankrupt, according to the true intent of the ſaid former recited Statute of Bankrupts. And the ſame grant, aſſignment, or diſpoſition of ỳ ſaid debts in forme aforeſaid, to be made by the ſaid Commiſſioners, or by the greater part of thē, ſhall ſo veſt the propertie, right, and intereſt of the ſaid debt & debts, in the perſon or perſons of him, her, or them, to whom it ſhalbe graunted, aſſigned, or ordered by ỳ ſaid Commiſſioners, or the greater part of them, as fully to all intents, as if ỳ ſaid Bill, Band, Bands, Statutes, Recogniſances, Iudgement, or Contract, whereupon ỳ ſaid Debt, Debts, Deed or Deeds ſhall ariſe or grow, had beene made to, or with, or for the ſaid perſon or perſons, to whom the ſame ſhall be ſo graunted, aſſigned, or diſpoſed by the ſaid Commiſſioners: And after ſuch Graunt, Aſſignement,

Aſſignment of debts due to a Bankrupt.

or diſpoſition made of the ſaid debts, neither the Bankrupt, nor any other to whom ſuch debt ſhall be due, ſhall haue power to recouer the ſame, nor to make any releaſe or diſcharge thereof, neither ſhall the ſame bee attached as the debt of the Bankrupt, or ſuch ſaid other perſon or perſons to whom the ſame ſhal be due, by any other perſon or perſons, according to the cuſtome of the city of London, or otherwiſe: But the party or parties to whom the ſame debts ſhall be aſſigned, ſhall haue like remedy to recouer the ſame, as fully and lawfully in the name or names of the perſon or perſons, to whom the ſame ſhalbe ſo aſſigned, graunted, or ordered by the ſaid Commiſſioners, in all reſpects & purpoſes, as ỳ party himſelfe might haue had: any Law, Statute, Cuſtome &c. notwithſtãding. Prouided allwaies, that no debtor of the Bankrupt be hereby indangered, for the payment of his other debt truly and Bona fide to any ſuch Bankrupt, before ſuch time as he ſhall underſtand, or know, that he is become a Bankrupt. 1. Iac. 15. S. 2.

Declaring how the bankrupts lands and goods be beſtowed.

20 Such of the ſaid Commiſſioners as ſhall put the ſame Commiſſion in execution, ſhall vpon lawfull requeſt made to them by the ſaid Bankrupt, not only make a true declaration to the ſaid Bankrupts of the imploying & beſtowing of his, her, or their ſaid lands, tenements, & hereditaments, offices, fees, goods, wares, money, cattels, & debts, which ſhalbe paid & ſatiſfied to their ſaid creditors, as is in like caſe limitted or appointed by the ſaid former ſtatute made 13. El. but alſo make paiment of the ouerplus of the ſame, if any ſuch ſhalbe, to the ſaid Bankrupts, their executors, adminiſtrators, or aſſignes. And the ſaid Bankrupts, after the ful ſatisfaction of the ſaid creditors, ſhall haue ful power & authority to recouer & receiue the reſidue & remainder of the debts to them owing, any thing in this Act &c. notwithſtanding. 1. Iac. 15. S. 4.

The Cõmiſſioners plea in an Action brought againſt them.

21 If any action of Treſpaſſe, or other ſuite, ſhall happen hereafter to bee brought againſt any Commiſſioner authorized by the Statute made 13. Elizab. for Bankrupts, or any other perſon or perſons, hauing authority by vertue, or vnder the Commiſſion, authorizing the Commiſſioners for the doing or executing of any matter, by force of the ſaid Statute, or this preſent Statute, The defendant or defendants in any ſuch Action or ſuit may plead not guilty, or otherwiſe iuſtifie, that the Act or thing whereof the plaintife or plaintifes complained, was done by the authoritie of the ſaid Act made 13. Eliz. or in this preſent Act, reſpectiuely, without expreſſing or rehearſall of any other matter of circumſtance contayned in eyther of the ſaid Acts, and without inforcing him or them to ſhew forth their Commiſſion authorizing the ſaid Act, or thing, whereunto the plaintife ſhall bee admitted to reply, that the defendant did the ſaid fact ſuppoſed in the declaration of his owne wrong, without any ſuch cauſe alleadged by the ſaid defendant, whereupon the iſſue in ſuch action ſhall bee ioyned, to bee tried by verdict of twelue men, and vpon the triall of that iſſue, the whole matter to be giuen on both parts in euidence, according to the very truth of the ſame: And if the verdict vpon ſuch iſſue ſhall paſſe for the Defendant, the Defendant to haue his coſts. 1. Iacob. 15.

The Cõmiſſioners ſhal proceed, though ỳ Bankrupt die

22 If after any Commiſſion of Bankrupts hereafter ſued forth, and dealt in by the Commiſſioners, the offendor happen to die, before the Commiſſioners ſhall diſtribute the goods, lands, and debts of the offendors, or any of them, by force of the foreſaid ſtatute of 13. Eliz. and this ſtatute, or either of them, Then neuertheleſſe the ſaid Commiſſioners ſhal and may in that caſe proceed in execution, in and vpon the ſaid Commiſſion, for and concerning the offendors goods, lands, tenements, hereditaments, and debts, in ſuch ſort as they might haue done, if the party offendor were liuing. 1. Iac. 15.

Barke.

WHoſoeuer ſhal malitiouſly, willingly, or vnlawfully bark any Apple trées, peare trées, or other fruit trées, of any other perſons, ſhall forfeit to the partie grieued treble damages, to be recouered by Action of Treſpas to be taken at the common law, and to the K. P. K. for a fine. 37. H. 8. 6. Barking of Apple trées.

1 There ſhalbe no ingroſſing or regrating of Barke. S. Leather 14.

2 At what time trees meet to be barked ſhalbe felled. S. Leather 15.

3 Purueyors ſhall not fell timber but in barking time. S. Leather 16.

Baſtardie.

TWo Juſtices of the peace, whereof one to be of the Quorum, in or nert vnto the limits, where the Pariſh Church is, within which pariſh any baſtard begotten and borne out of lawfull Matrimonie ſhall be borne (vpon examination of the cauſe and circumſtance) ſhall and may by their diſcretion, take order, aſwell for the puniſhment of the mother, & reputed father of ſuch baſtard child, as alſo for the better reliefe of euerie ſuch pariſh in part or in all, and ſhall and may likewiſe take order for the keeping of euery ſuch baſtard child, by charging ſuch mother or reputed father, with the paiment of money weekely, or other ſuſtentation for the reliefe of ſuch child, in ſuch wiſe as they ſhall thinke conuenient. And if after the ſame order by them ſubſcribed vnder their hands, any the ſaid perſons, that is to ſay, mother or reputed father, vpon notice thereof, ſhall not for their part performe the ſaid order: Then euerie ſuch partie ſo making default, in not performing the ſaid order, ſhalbe committed to ward to the common Gaole, there to remaine without bayle or mainprize, except he, ſhe, or they ſhall put in ſufficient ſuerties to performe the ſaid order, or elſe perſonally to appeare at the next generall Seſſions of the peace to bee holden in that countie where ſuch order ſhalbe taken, and alſo to abide ſuch order, as the ſaid Juſt. of the P. or the more part of them, then and there ſhall take in that behalfe (if they then and there ſhal take any) and if at the ſaid Seſſions the ſaid Ju. ſhall take no order, then to abide and performe the order before made, as is aboueſaid. 18. Eliz. 3. 1. Iac. 25. to continue to the end of the firſt Seſſion of the nert parliament. S. Iuſt. of Peace 102. Juſt. of peace ſhal take order for Baſtards.

2 It is an antient and approued law in this Realme, that he which is borne before marriage is not legitimat to enioy any inheritance, as hee that is borne after marriage. Merton 20. H. 3. 9. He is a baſtard which is borne before marriage.

3 In all Courts where any ſuit ſhalbe commenced, wherein Baſtardy ſhall bee pleaded againſt any perſon, partie to the ſame ſuit, and thereupon an iſſue ioyned, which by the law ought to be certified by the Ordinarie, the Juſt. or one of them of the ſame Courts before any writ of Certificat ſhall paſſe to the Ordinarie to certifie the iſſue ſo ioyned, ſhall make remembrance vnder their Seales or Seale, at the demandant, tenant, plaintife, or defendants ſuit, reciting the iſſue, and ſhal certifie the ſame to the Chancellor of England, to the intent that Proclamation may be made in the Chauncery once euery moneth by the ſpace of three moneths, that all perſons which haue any intereſt to obiect againſt him which pretendeth to be mulier, ſhalbe before the Ordinarie to whom the Certificat ſhalbe directed, to alledge, and obiect againſt the partie pretending to be Pulier, as the lawes of the church do require. And the Chauncellor hauing notice of the ſame remembrance and iſſue ioined, and being required by one of the foreſaid parties, ſhall cauſe the ſaid Proclamations to be made in forme aforeſaid, & ſhal certifie the ſame into the Court where the ſuit ſhall depend. And the Juſtices of the Court where the ſuit ſhall bee commenced, Proclamations made before the writ to the Biſhop to certifie baſtardie.

menced, shall make one Proclamation openly in the same Court, before any Proclamation made in the Chancerie, and another after the Chancellor hath certified, and then the Iudge shall award the said writ of Certificat to the Ordinarie, to certifie of the issue ioyned. And if any writ of Certificat be granted, before all the proclamations in form aforesaid be made and certified, the said Certificat, and the Certificat of the Ordinarie thereupon made, shalbe void in law. 9. H. 6. 11.

1 By what meanes bastardie shalbe tried when it is pleaded against one born beyond the Sea. S. Abilitie 2.

Barwicke.

Marchandizes conueyed into or out of Scotland, shalbe brought frō Barwick.

ALl marchandizes that shalbe brought out of Scotlād, or the Iles of the same, into this Realme, Ireland, or Wales, shalbe first brought to Barwick. And none vnder the Kings obeysance shall buy such marchandizes, before that it bee bought, sold, & customed there (except at Carliel, and the Ports and Creeks pertayning to the West March.) And also none vnder the K. obeysance shall carry any marchandize being in England, Ireland, or Wales, into Scotland, or into the Iles of the same: And none vnder the K. allegeance shall sell marchandize of England, Wales, or Ireland, to any inhabiting in Scotland, except at Barwicke, and Carliel. No marchandize shall be shipped betwen Tinmouth, and Barwicke, but only in the port of Barwick. No man shal cause to be sold Salmon taken in Tweed but the Burgesses, and they that be franchised in Barwicke. And he that offendeth or doth with any marchandize contrarie to this ordinance, shall forfeit the same to the king, and him that will seise, or sue for the same by A. of debt, wherein no Wl. E. P. 8c. 22. Ed. 4. 8.

1 For paiment of Mortuaries in Barwicke, and the Marches therof. S. Mort. 5.

2 Liberties and Franchises granted to the Maior &c. of Barwick. S. 1. Iac. 28.

Bishops.

The maner of electing of Bishops.

AT euery auoidance of any Archbishoprick, or Bishoprick within this realm, or in any other the K. dominions, the K. his heirs & successors, may graunt to the Deane and Chapiter of the Cathedrall Churches, where the Sea of such Arch. or Bishoprick shall happen to be void, a licence vnder the great seale (as of old time hath bin accustomed) to proceed to election of an archb. or bishop of the Sea so being void, with a letter missiue containing the name of the person which they shall elect and chuse. By vertue of which licence the said Deane and Chapiter, to whom any such licence and letters missiues shall be directed, shal with all spæd in due forme elect and chuse the said person named in the said letters missiues, to the dignitie and office of the archb. or bishoprick so being void, and none other. And if they doe defer or delay their election aboue xx. daies next after such licence, and letters missiues to them deliuered, then for euery such default, the K. his heirs and successors, at their libertie and pleasure, shall nominat & present by their letters patents, vnder their great seale, such a person to the said office and dignitie so beeing void, as they shall thinke able and conuenient for the same. And euerie such nomination and presentments to be made by the K. his heirs and successors, if it be to the office and dignity of a bish. shalbe made to the archb. and Metropolitane of the Prouince, where the Sea of the same bishoprick is void, if the Sea of the said archb. bee then full and not void: and if it be void then to be made to such archb. or Metropolitan within this realme, or in any the K. dominions, as shall please the king, his heirs or successors: And if any such nomination or presentment shall happen to be made for default of such election to the dignitie or office of an archb. Then the K. his heires and succes-

sors,

ſors, by his L. patents vnder his great ſeale ſhall nominat and preſent ſuch perſon as they will diſpoſe to haue the ſaid office and dignitie of Archbiſhoprick being void, to one ſuch archb. and two ſuch biſh. or elſe to foure ſuch biſh. in this realme, or in any the K. dominions, as ſhalbe aſſigned by our ſaid Soueraign Lord, his heirs or ſucceſſors. 25. H. 8. 20.

2 Whenſoeuer any ſuch preſentment or nomination ſhalbe made by the K. his heirs or ſucceſſors, by authority of this Act, & according to the tenor of the ſame: then euerie arch. & biſh. to whoſe hands any ſuch preſentment and nomination ſhalbe directed, ſhall with all ſpeed inueſt and conſecrate the perſon nominat and preſented by the K. his heirs or ſucceſſors, to the office or dignitie that ſuch perſon ſhall bee ſo preſented vnto, and giue and vſe to him Pall and al other benedictions, ceremonies and things requiſit for the ſame. And if the ſaid Deane and Chapiter after ſuch lycence and letters miſſiues to them directed within the ſaid xij. dayes, do elect & chuſe the ſaid perſon mentioned in the ſaid letters miſſiues according to the requeſt of the King, his heires or ſucceſſors, thereof to be made by the ſaid letters miſſiues in that behalfe: then their election ſhall ſtand good and effectuall to all intents, and the perſon ſo elected, after certification made of the ſame election, vnder the common ſeale of the electors, to the K. his heirs or ſucceſſors, ſhalbe reputed and taken by the name of Lord elected of the ſaid dignitie and office, that he ſhall be elected vnto: And then making ſuch othe and fealtie onely to the K. his heirs and ſucceſſors, as ſhalbe appointed for the ſame, the K. by his letters patents vnder his great Seale ſhal ſignifie the ſaid election, if it bee to the dignitie of a biſhop, to the Archbiſhop and Metropolitane of the Prouince where the Sea of the ſaid biſhoprick was void, if the Sea of the Archbiſhop bee full and not void: And if it be void, then to any other Archbiſhop within this realme, or in any other the K. dominions, requiring & commanding ſuch archbiſhop, to whom any ſuch ſignification ſhall be made to confirm the ſaid election, & to inueſt & conſecrat the ſaid perſon ſo elected to the office & dignity ý he is elected vnto, and to giue and vſe to him all ſuch benedictions, ceremonies and other things requiſit for the ſame. And if the perſon be elected to the office and dignitie of an archbiſhop, according to the tenor of this act, then after ſuch election certified to the K. in forme aforeſaid, the ſame perſon ſo elected to the office and dignitie of an Archb. ſhalbe reputed and taken Lord elect to the ſaid office and dignitie of archb. whereunto he ſhalbe ſo elected: And then after he hath made ſuch othe and fealtie only to the K. his heirs and ſucceſſors, as ſhalbe limited for the ſame: The K. by his L. patents vnder his great Seale ſhall ſignifie the ſaid election to one Archb. and two other biſhops, or elſe to foure biſhops within this realme, or within any other the K. dominions, to be aſſigned by the K. his heires or ſucceſſors, requiring & commanding the ſaid Archb. and biſhops with all ſpeed to confirme the ſaid election, & to inueſt & conſecrate the ſaid perſon ſo elected to the office & dignitie that he is elected vnto, and to giue and vſe to him ſuch pall, benedictions, ceremonies, and all other things requiſite for the ſame. Anno 25 Hen. 8. 20.

Conſecration of a Biſhop.

Lord elect.

3 Euery perſon and perſons being hereafter choſen, elected, nominated, preſented, inueſted, & conſecrated to the dignitie or office of an Archbiſhop or biſhop within this Realm, or within any other the Kings dominions, according to the forme, tenor, & effect of this preſent Acte, and ſuing their temporalties out of the Kings hands, his heires or ſucceſſors, as hath beene accuſtomed, and making a corporall oath to the Kings highnes, and to none other in forme as is afore rehearſed, ſhall and may be thronized or inſtalled, as the caſe ſhall require, and ſhall haue and take their only reſtitution out of the K. hands, of all the poſſeſſions and profits ſpirituall and temporall belonging to the ſaid Archbiſhoprick or biſhopricke whereunto they ſhall be ſo elected or preſented, & ſhalbe obeyed in all maner of things, according to the name, title, degree, and dignitie that they ſhalbe ſo choſen or preſented vnto,

This election of a Biſhop ſhalbe lawfull

vnto, and do and execute in euerie thing and things touching the ſame, as any archbiſhop or biſhop of this Realme, without offending of the prerogatiue royall of the Crowne, and the laws and cuſtomes of this Realm, mought at any time heretofore do. An. 25. H. 8. 20.

The penaltie for not electing or not conſecrating a Biſhop.

4 If the Deane and Chapiter of any Cathedrall Church where the Sea of any Archbiſh. or biſh. is within any the kings dominions, after ſuch licence, as is afore rehearſed ſhal be deliuered to them, proceed not to election, and ſignifie the ſame according to the tenor of this act, within the ſpace of xx. dayes next after ſuch licence ſhall come to their hands: Or elſe if any Archbiſh. or Biſh. within any the Kings dominions after any ſuch election, nomination, or preſentation, ſhall be ſignified vnto them by the Kings letters patents, ſhall refuſe, and do not confirme, inueſt, and conſecrat with all due circumſtances as is aforeſaid, euerie ſuch perſon as ſhal be ſo elected, nominat, or preſented, and to them ſignified, as is aboue mentioned, within xx. dayes next after the Kings letters patents of ſuch ſignification or preſentation ſhall come to their hands: Or els if any of them, or any other perſon or perſons, admit, maintaine, allow, obey, doe, or execute any cenſures, excommunications, interdictions, inhibitions, or any other proces or act, of what nature, name, or quality ſoeuer it be, to the contrary or let of due execution of this Act, Then euery Deane and particular perſon of the Chapiter, and euery Archbiſhop and Biſhop, and all other perſons ſo offending & doing contrary to this Act, or any part thereof, and their aidors, counſellors, and abettors, ſhall runne in the dangers, paines, and penalties of the Statute of Prouiſion and Præmunire made 25. Ed. 3. & 16. R. 2. 25. H. 8. 20. 1. Eliz. 1.

Biſhops conſecration.

Making of Miniſters.

5 Such order and forme for the conſecrating of Archbiſhops and Biſhops, and for the making of Prieſts, Deacons, & Miniſters, as was ſet forth in the time of K. Ed. 6. and added to the booke of Common Prayer, & authorized by Parliament, Añ 5. & 6. E. 6. 1. ſhall ſtand and be in full force and effect, and ſhall be vſed and obſerued in all places within this Realme, and other the Qu. dominions: and al acts and things heretofore had, made, or done by any perſon or perſons in or about any conſecration, confirmation, or inueſting of any perſon or perſons elected to the office or dignitie of any Archb. or Biſh. within this realm, or within any other the Q. dominions or countries, by vertue of the Q. letters patents or Commiſſion, ſithence the beginning of her raigne, be and ſhalbe by authoritie of this Parliament, declared, and iudged, at and from euery of the ſeuerall times of the doing thereof, good and perfect to all reſpects and purpoſes: Any matter or thing that can or may be obiected to the contrarie thereof in any wiſe notwithſtanding. And all perſons that haue bẽ or ſhalbe made, ordered, or conſecrat Archbiſh. Biſh. Prieſts, Miniſters of Gods holy word and Sacraments, or Deacons after the forme and order preſcribed in the ſaid order and forme how Archb. Biſh. Prieſts, Deacons, and Miniſters, ſhould be conſecrated, made, and ordered, be in very deed, and alſo by authoritie hereof declared and enacted to be, and ſhalbe Archb. Biſh. Prieſts, Miniſters, and Deacons, and rightly made, ordered and conſecrated: Any ſtatute, law, canon, or other thing to the contrarie notwithſtanding. 8. Eliz. 1.

6 Prouided alwayes, that no perſon or perſons ſhal at any time hereafter be impeached or moleſted in body, lands, liuings, or goods, by occaſion or meane of any certificat by any archb. or biſh. heretofore made, or before ẏ laſt day of this Seſſ. of parliament to be made, by vertue of any act made in ẏ firſt Seſſion of this parliamẽt, touching or concerning the refuſal of the othe declared & ſet forth by act of parliamẽt, Añ 1. Reg. El. Any thing in this act, or any other act or ſtat. heretofore made to the contrary notwithſtanding. And all tenders of the ſaid certificat of the refuſall of the othe made by any archb. or biſh. aforeſaid, or before the laſt day of this Seſſion to be made, by authoritie of any Act eſtabliſhed in the firſt Seſſion of this

Par-

Parliament: and all refuſals of the ſame othe ſo tendred by any archb. or biſh. by authoritie of any Act, eſtabliſhed in the firſt Seſſion of this parliament ſhalbe void. 8. Eliz. 1.

7 All & euerie depriuation & depriuations, and all & euery ſentence and ſentences of depriuation whatſoeuer, had, pronounced, or giuen at any time betwæn the beginning of ỳ raign of ỳ M. Maieſt. that now is, & the 1. day of Nouēb. in ỳ 4. yere of the ſame, againſt any perſon or perſons, which was, or took vpō him to be archb. or biſh. of any Sea or biſhoprick, or deane of any deanry within this realme, or any the dominions thereof in the raign of the late M. Mary, from ſuch Sea or biſhopr. ſhalbe adiudged, dæmed, & taken good and ſufficient in law to all intents and purpoſes, and ſo ſhall remaine & continue: any appeale, exception, or other matter or thing whatſoeuer to the contrarie therof in any wiſe notwithſtanding. 39. El. 8. Deprſuation of Biſh. and Deanes.

8 All ſuch archb. and biſh. & deans, as were ordained or made by the authoritie or licence of ỳ M. ỳ now is, at any time betwæne the beginning of her raigne, & the ſaid 1. day of Nouēb. in the iiij. yere of her raign, ſhalbe taken & adiudged to be lawfull archb. or biſh. of the Sea or biſhoprick, and deane of the deanry, vnto the which he was ſo preferred, aſſigned, or appointed: And the ſame Sea of archbiſhoprick, or biſhoprick, and deanry, vnto which he was ſo preferred, aſſigned, or appointed, ſhal be dæmed, and adiudged to be meerely void to all reſpects and purpoſes, before ſuch preferment, appointment, or aſſignement ſo made, as aforeſaid: any ambiguitie or queſtion in that behalfe heretofore made, or hereafter to be made to the contrary in any wiſe notwithſtanding. 39. El. 8. Archb. biſh. & deanes made by the Qu.

9 The King nor his heires ſhall take, or cauſe to be taken into their hands the Temporaltie of Archbiſhops, or Biſhops, without a true & iuſt cauſe, according to the Law, and Iudgement thereupon giuen. 14. E. 3. 3. A Biſhops Temporaltie ſhall not be ſeiſed for a contempt vpon a writ of Quare non admiſit, or ſuch other cauſe: but he ſhall make a reaſonable fine, according to the quantitie of the treſpas, or qualitie of the contempt. 25. E. 3. 6. pro Clero. Seyſing of a Biſhops temporalties.

10 At all times when any Vacation of any Archbiſhoprickes, or Biſhoprickes ſhall happen, the kings Eſcheators for the time being, ſhall enter, & cauſe the ſame voydances to be well kept, without doing waſt or deſtruction in the manours, parkes, ponds, or woodes. And they ſhal ſell no vnderwood, nor hunt in the Parkes or Warrens, Nor fiſh in the Ponds, Nor frę fiſhings, Nor ſhall take any fine of the Tenants frę or bound: But ſhall kęp and ſaue as much as pertayneth to the ſaid voidances, without doing hurt, or any maner of oppreſſion. And if the Deane and Chapter of Cathedrall Churches, will render to the King and his heires the value of the ſaid auoydances, as other will reaſonably yęld, Then the Chauncelor and Treaſorer ſhall haue authoritie to let to the ſaid Deane and Chapter the ſaid voydances by good and ſufficient ſuertie, ſo that they ſhall haue the ſame before all other, yęlding to the king the value as ſhal be found by Remembrances of the Exchequer, or by Enqueſt to be taken vpon the ſame, if nęd be, without making fine. And if they will not conſent to yęld the value, nor find ſuch ſuertie, Then the Chauncelor and Treaſorer ſhall cauſe ſuch auoydances to be preſerued by Eſcheators, or other ſufficient kępers, to anſwere the King of that to him pertayneth reaſonably, without doing waſt, or deſtruction, or other thing, which may turne to the diſheriſon of the Churches, whereof ſuch auoydances ſhall happen. Sauing to the king & his heires the knights fęs, aduowſons of Churches, eſcheates, wards, marriages, reliefes, and ſeruices of the ſaid fęs. 14. E. 3. 4. 5. pro Clero. Vſing of B. temporalties during the vacation.

1 For a writ to the Biſhop, to certifie Baſtardie, S. Baſtardie 3. Abilitie 2.

2 What aſſurances made by Biſhops, &c. of their lands ſhall be good, and what not, S. Eccleſiaſt. 6.

3 A Biſhop may viſit hoſpitals within his Dioceſſe. S. Hoſpitals 1.

4 Biſhops

4 Biſhops may puniſh Clerkes for incontinencie. S. Incontinencie.

5 A confirmation of certaine grants made by Biſhops to K. H. 8. and K. E. 6. of certaine lands. S. Monaſteries 29.

6 By what Chapter the B. of Couentries &c. aſſurances ſhalbe confirmed. S. 33. H. 8. 30.

7 The Biſhoprick of Cheſter and Man, in what Prouince. S. 33. H. 8. 31.

8 By what Chapter the B. of Bathe and Welles aſſurances ſhall be confirmed, S. 34. H. 8. 15.

9 The tenthes of the Biſhopricks of Cheſter, Glouceſter, Peterborough, Briſtol, and Oxford. S. 34. H. 8. 15.

10 A confirmation of an aſſurance made to the Biſhop of Norwich. S. 39. El. 22

Bookes.

Bookes brought from beyond Sea bound.

IF any perſon, reſiant, or inhabitant within this Realme, ſhall buy to ſell againe, any printed Booke, brought from any parts out of the K. obeiſance, ready bound in boords, leather, or parchment. he ſhall forfeit for euery booke bound out of the K. obeiſance, & brought into this realme, & bound by any perſon within the ſame to ſell againe, vj. s. viij. d. to the K. and the partie that will ſeiſe or ſue for the ſame by A. I. &c. wherein no W. &c. E. or P. &c. 25. H. 8. 15.

Bookes brought from beyond Sea bought in groſſe.

2 If any perſon inhabitant or reſiant within this Realme, ſhal buy within this Realme of any ſtranger borne out of the kings obeyſance (other then of Deniſens) any printed booke brought from any parts beyond the Sea (except onely in groſſe, and not by retaile) he ſhall forfeit for euery booke ſo bought by retaile, vj. s. viij. d. to the King and the partie that will ſeiſe or ſue for the ſame by A. I. &c. wherein no W. &c. 25. H. 8. 15.

The price of Bookes inhaunced.

3 If any Printers, or Sellers of printed bookes, inhabiting within this realme, do at any time in ſuch wiſe inhaunce and increaſe the prices of any ſuch printed bookes in ſale or binding at to high & vnreaſonable prices, in ſuch wiſe as complaint thereof be made to the King, or vnto the L. Chancelor, L. Treaſorer, or any of the chiefe Iuſt. of the one bench, or of the other, Then the ſame Lords &c. or two of any of them, ſhall haue authoritie to enquire thereof, as well by the othes of xij. honeſt and diſcreet perſons, as otherwiſe by due examinations by their diſcretions. And after the ſame inhauncing, and increaſing of the ſaid prices of the ſaid bookes and binding, ſhalbe ſo found by the ſaid xij. men, or otherwiſe by examination of the ſaid L. Chantellor, L. Treaſorer, and Iuſt. or two of them: Then the ſame Lords &c. or two of them at the leaſt, ſhall haue power to reforme and redreſſe ſuch inhauncing of the prices of printed bookes, from time to time, by their diſcretions, and to limit the prices as well of the bookes, as for the binding of them. And ouer that the offender or offendors thereof being conuicted by examination of the ſame Lords &c. or two of them, or otherwiſe, ſhall forfeit for euery booke by them ſold, whereof the price ſhall be inhaunced for the booke or binding thereof iij. s. iiij. d. to the King and partie grieued, that will complaine vpon the ſame, in manner and forme aforeſaid. 25. H. 8. 15.

1 No Popiſh bookes ſhalbe ſold or bought. S. Recuſants 74.

Boatmen, Watermen, Barges, Boats, &c.

Eight Ouerſeers of Watermen.

THe Maior and court of Aldermen of the Citie of London, at their firſt court of Aldermen holden within the ſaid Citie next after the firſt day of March, ſhall yerely appoint and chuſe viij. perſons, of the moſt wiſe, diſcreet, and beſt ſort of watermen, being houſholders, & occupying as watermen vpon the riuer of Thamiſe, be-

betwirt Graueſend and Windſor. And the ſame eight perſons ſo elected, ſhall be called the Ouerſéers and Rulers of all the Wherymen and Watermen, that after the ſaid firſt day of March, ſhall vſe or exercise any rowing vpon the ſaid Ryuer of Thamiſe, betwéene Graueſend and Windſor: which ſaid Ouerſéers ſhall kéepe good order and obedience amongſt the ſaid Watermen, according to the true meaning of this ſtatute. And if any perſon elected to be an Ouerſéer, do negligently exercise his roumth, or will obſtinately refuſe to take vpon him the ſame, then he ſhall forfeit to the K. and I. v. li. to be recouered by A. I. &c. wherein no W. &c. E. P. I. &c. 2. & 3. P. and M. 16.

Ouerſéers neglecting or refuſing their roumth.

2 It is lawfull to the ſaid eight Rulers for the time being, and their ſucceſſors, from time to time to call before them at ſome conuenient place by them to be appointed, all and euery ſuch perſon & perſons which ſhall vſe the ſaid trade of rowing betwirt Graueſend & Windſor, and ſhall regiſter the names of euery of them that ſhall be by them allowed or admitted for Watermen to row betwirt Graueſend and Windſor, in a booke made for the ſame intent, & to take ſuch further order therein with euery of the ſaid parties, as it ſhall ſéeme méete by the diſcretion of the ſaid Ouerſéers. And alſo the ſaid Ouerſéers ſhall and may ouerſée, view, and ſuruey at all times, all Boates and Whiries that ſhall be made, before the ſame be launched out of the yard, or ground, wherein they ſhall be made, into the ſaid ryuer of Thamiſe, to the intent that they and euery of them may be made and prepared, in ſuch maner and forme, and according to the goodneſſe, proportion, and quantitie in this Act limitted. And the Maior and Aldermen of London, and the Iuſtices of Peace within the Shires next adioyning to the Ryuer of Thamiſe, euery of them within their ſeuerall iuriſdictions haue authoritie vpon complaint made to them, or any of them by the ſaid Ouerſéers, or two of them, or the Maſter of any ſeruant, not onely to examine, heare, and determine all complaints & offences committed by any ſuch perſon that ſhall offend contrarie to the true meaning of this Act, and to ſet at large euery ſuch perſon as ſhall be impriſoned by the ſaid Ouerſéers, according to this Act, if iuſt cauſe ſhall appeare vnto them ſo to doe, but alſo by their diſcretion to puniſh, correct, and reforme the ſaid Ouerſéers, and euery of them, that ſhall vniuſtly puniſh any perſon by colour of this Act. 2. & 3. P. and M. 16. S. Iuſtices of peace 109.

Ouerſéers ſhall order the watermen, and regiſter their names.

Ouerſéers ſhall view the boates before they be launched forth.

Examining complaints.

Reforming Ouerſéers.

3 No perſons where two Watermen, and not aboue two ſhall row together in one boate, or whirie, in any place betwirt Graueſend and Windſor, ſhall receiue any perſon into their boate, or whirie, to the intent to carrie him therein, vnleſſe one of the ſame two watermen haue bin for the moſt part exerciſed in rowing vpon the ſaid Ryuer of Thamiſe by the ſpace of two whole yeares before that time: And alſo that one of the ſame two Watermen at the leaſt be duely admitted and allowed by the ſame eight Ouerſéers, or the moſt part of them by writing, vnder their knowen ſeale, to be a ſufficient and able Waterman, vpon paine that euery ſuch perſon preſuming or offending contrarie to the true meaning of this Act, ſhall by the ſaid eight Ouerſéers be committed to priſon in one of the Counters of the Citie of London, there to remaine one Moneth, or leſſe, as the offence ſhal require. 2. & 3. P. & M. 16.

Two watermen ſhall not row, but wher one of them is allowed by the Ouerſéers.

4 No perſon being a ſingle man, not kéeping houſhold, and not retained, ſhall vſe to row betwirt Graueſend and Windſor, vnleſſe he be Prentice, or in ſeruice retained with a Maſter by the whole yeare at the leaſt, vpon paine of like impriſonment. 2. & 3. P. & M. 16.

No ſingle man ſhall be a waterman.

5 If any perſon ſhall make any Whirie or Boate, to the intent commonly to vſe rowing and carrying of people vpon the ſaid Ryuer of Thamiſe, which ſhal not be xxj. foote and a halfe in length, and iiij. foote & a halfe broad in the midſhip, or which ſhall not be ſubſtancially, and well able and ſufficient to carrie two perſons on one

The length, breadth, and goodneſſe of Boates.

ſide, right accoꝛding to the olde quantitie, ſkantling, thickneſſe of boꝛd, goodneſſe, and good pꝛopoꝛcion heretofoꝛe had and vſed: Then the ſame Boat being made contrarie to the pꝛopoꝛcion and ſoꝛt beſoꝛe expꝛeſſed, ſhalbe taken as foꝛfait, and ſhalbe foꝛfait to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. oꝛ I. &c. 2. & 3. P. & M. 16.

watermen which hide themſelues in the time of pꝛeſſing.

6 If any perſon that ſhall vſe the occupation of rowing betwixt Gꝛauеſend & Windſoꝛ, which in the time of the execution of any commiſſion of pꝛeſting, that ſhall be had foꝛ the ſeruing of the Quéene, her heires & ſucceſſoꝛs, in their affaires, ſhall willingly and obſtinately hyde, oꝛ conuey him ſelfe in the ſame time of pꝛeſting, into ſecret places and out coꝛners, and after when ſuch time of pꝛeſting is ouerpaſſed, ſhal returne againe to the ſaid riuer of Thamiſe, to row betwixt Gꝛauеſend and Windſoꝛ, and that duely pꝛoued by two indifferent witneſſes beſoꝛe the Maioꝛ of London and Court of Aldermen, oꝛ Juſtices of the peace, and two of the ſaid Rulers, then he ſo offending, ſhall ſuffer impꝛiſonment by the ſpace of two wéekes, and be baniſhed any moꝛe to rowe from thence foꝛth vpon the ſaid ryuer of Thamiſe, by the ſpace of one whole yeare and a day then next following. 2. & 3. P. & M. 16.

what fare watermen may take.

7 Euery perſon authoꝛized to rowe betwéene Gꝛauеſend and Windſoꝛ, that ſhall take foꝛ his faire and labour aboue the pꝛices aſſeſſed by the Maioꝛ & Court of Aldermen of London, and viewed, ſigned, & ſubſcribed with two at the leaſt of the Quéenes Pꝛiuie Counſels hands, and wꝛitten, and ſet vp in Tables in the Guild hall oꝛ Weſtminſter hall &c. ſhall ſuffer impꝛiſonment one halfe yeare, & alſo ſhall foꝛfait foꝛ euery ſuch offence to the Quéene and I. &c. xl. s. to be recouered by A. I. &c. wherein no W. &c. E. P. oꝛ I. &c. foꝛ the Maioꝛ and Court of Aldermen of London, ſhall from time to time aſſeſſe the ſummes of money that euery perſon authoꝛized to rowe betwéene Gꝛauеſend and Windſoꝛ, ſhall take foꝛ his labour oꝛ fare from place to place to place particulerly betwixt Gꝛauеſend and Windſoꝛ, 2. & 3. P. & M. 16. By the ſtatute made 6. H. 8. 7. there was eſtabliſhed a certaine rate & wages that Watermen ſhould take foꝛ their fare betwixt one place and another néere vnto the Citie of London. But it ſéemeth that the foꝛce of that Statute is taken away by the foꝛeſaid bꝛanch. Sed Quære.

The ſeruants of weſterne Bargemen.

8 No perſon occupying any Weſterne Barge, ſhall retaine, take, oꝛ receiue into his ſeruice, any ſingle perſon not kéeping houſe, oꝛ houſhold, but onely ſuch as ſhall be retained with him by the whole yeare, & no houſholder, but only ſuch as he will, oꝛ ſhall aunſwere foꝛ his good behauiour, vpon paine and foꝛf. to the K. & I. xl. s. to be recouered by A. I. &c. wherein no W. E. P. I. &c. 2. & 3. P. & M. 16.

It ſeemeth that the firſt part of this branch is repealed by the general words of the Statute of 5. Eliz. 4. which repealeth all Statutes and euery branch of them which touch or concerne the hyring, keeping, departing, working, wages, or order of ſeruants, workmen, artificers, prentices, and labourers, &c. Sed Quære.

Paſſengers vpō the banks of Seuerne.

9 No perſon ſhall interrupt by any obſtacle, let, oꝛ otherwiſe, any perſon oꝛ perſons, paſſing oꝛ repaſſing, on and vpon any of the pathes being of a fwte and a halfe bꝛoad, lying on euery ſide of the riuer of Seuerne, & time out of mind accuſtomed, noꝛ ſhal aſke, take, oꝛ demaund any toll called a dꝛaught, oꝛ a bottle of wine, oꝛ any other tare oꝛ impoſition of any of the Kings ſubiects there going in the ſaid pathes accuſtomed, there hayling oꝛ dꝛawing their boates, troughes, oꝛ veſſels, vpon paine to foꝛfait foꝛ euery time that he ſhall interrupt any of the Kings ſubiects, oꝛ aſke, oꝛ take any ſuch impoſition, by what name ſoeuer it be called xl. s. to the King and party grieued, to be recouered by A. I. &c. wherein no W. E. P. &c. 9. H. 6. 5. 23. H. 8. 12.

Impoſition of Boates vpon Seuerne.

10 Whoſoeuer doth take any impoſition of anie of the kings liege people, foꝛ any Trough, Boat, oꝛ other veſſel, foꝛ any goods oꝛ marchandizes carried in & vpon

the

the ryuer of Seuerne, or doth vere or interrupt any Boates, Troughes, or vessels so passing by the said Ryuer, for any such imposition, or otherwise against the Lawes, (except such which by decree made betwixt 20. Ianua. Añ dñi 1503. and the Ascention day, Añ dñi 1505. by the kings Councell in the Starre Chamber obteyned the same) shall forfait for euery such offence xx. li. whereof the king shall haue two parts, & the partie that will sue by popular Action of debt the third part, wherein no W. &c. E. P. &c. And if it fortune the parties in any such action to plead to an issue, for any offences committed contrarie to the premisses, triable in the Citie of Worcester, or the liberties of the same, Then the same issue to be tried by xij. men of the Countie of Worcester, not dwelling, ne hauing any lands within the same Citie, nor the Suburbes of the same. And if the parties aforesaid in any such action plead to an issue, for any offence committed contrarie to the premisses triable in the Shire of the Towne of Gloucester, or in the Countie of Gloucester, Then the same issue to be tried by xij. men, of, or in the Countie of Gloucester thereunto adioyning, not hauing any lands, ne dwelling within the same Shire of the Towne of Gloucester. 19. H. 7. 18.

Recompence for hurts done by Bargemen.

11 But any person hauing lands or meadowes adioyning to the said water of Seuerne, may take of euery person going vpon his lands & meadowes, and drawing any Boat, Trough, or vessell, reasonable recompence for such hurts as he shall sustaine by reason of any such going, or drawing, 16. H. 18. Except of such as shall passe or repasse vpon any of the pathes of euery side of the said Riuer, being of a foote and a halfe broad, or there abouts, and time out of minde accustomed, as is aforesaid. 23. H. 8. 12.

Transporting offenders into or forth of wales at vnlawfull times.

12 If any person taking vpon him to haue and keepe any passage vpon the riuer of Seuerne, do carrie with any Barge, Boat, or other vessell, any person or persons with horses, mares, kine, oxen, or other cattell, or any other person, before the Sunne rysing in the morning, or after the Sunne being set at night, ouer any of the said passages out of England into Wales, or the Forrest of Deane, or out of Wales, or the Forrest of Deane into England, vnlesse the said passenger hath good knowledge of such person or persons, and euery of their dwelling places, and vpon request to him made by any person or persons, do disclose the name and dwelling place of euery such person and persons, so by him conueyed ouer the said water to any such person or persons so requiring the same, if suit be made for and after them vpon any Outcrie, hue, or fresh suit, of, or for any felony, robberie, murder, and manslaughter committed, he shal be imprisoned, and also pay a fine. 26. H. 8. 5. S. Iustices of peace 81.

What wherymen shall retaine seruants.

13 No Wheryman, or Waterman that now is, or that hereafter shall be, and shall row vpon the ryuer of Thamise, & shall transport or carie any passengers or goods in any wheries, tilt boats, or barges, (other then Westerne Barges, Hill boates, and all other vessels ordinarie seruing for other vses then the carying of passengers) shall retaine or take any seruant or apprentice to serue him as a waterman vpon the said Ryuer, vnlesse the said wheriman or waterman that so shall retaine, take, or haue any such seruant, shall haue bẽn an Apprentice to a wherryman, or waterman by the space of v. yeares before such retayning. And no wherryman or waterman that now is, or hereafter shall be vpon the said Ryuer of Thamise, shall retaine, haue, keepe, or take any person or persons to serue him to row vpon the said Ryuer as his apprentice, vnlesse the said person so to be retained, or to become an Apprentice, shall then be of the age of 18. yeares at the least, and shall be retained and bound to his Master to serue vpon the said Ryuer, for and during the terme of vij. yeares at the least, vpon paine that euery person or persons doing the contrary, shall from time to time for euery such offence forfait x. li. to the King & I. to be recouered in any of the K. Courts of record, by A. S. B. P. or I. wherein

What persons wherymen may retaine for apprẽtices.

no W. E. P. or other delay ſhall be allowed. 1. Iac. 16.

Wherymens ſonnes.

14 This Act, nor any thing therein contained, ſhall extend to the Sonne or Sonnes which now are, or hereafter ſhall be of any Wheryman, or Waterman aboueſaid, (being of the age of ſixteene yeares at the leaſt, & of conuenient groweth and ſtrength,) that formerly hath been, or that hereafter ſhall be trayned & brought vp in rowing, or haue, or hath accuſtomed to rowe vpon the ſaid Ryuer, and there haue vſed, or ſhall vſe to tranſport or carrie Paſſengers from place to place: But all and euery ſuch Sonne and Sonnes, ſhall and may from time to time be admitted and allowed to ſerue, and may ſerue vpon the ſaid Ryuer, and there tranſport or carrie Paſſengers from place to place as an apprentice, as heretofore they haue done: Any thing in this Act &c. notwithſtanding. 1. Iac. 16.

The Watermens orders ſhall be read twice in the yeare.

15 The eight Ouerſeers or Rulers of Wherymen, or Watermen, from henceforth twice in euery yeare, viz. vpon the firſt day of September, and vpon the firſt day of March, ſhall openly read and publiſh, or cauſe openly to be read & publiſhed in the Hall or place of their common aſſembly, where they vſually either haue, or hereafter ſhall appoint to aſſemble and mete together, all and euery the Conſtitutions and Orders already made by them, or that at any time hereafter ſhall be made by the Ouerſeers and Rulers, for the good or better ordering or gouernment of the ſaid Wherymen, or Watermen, vpon paine that euery of them ſhall from time to time for euery ſuch offence forfait to the K. his heires and ſucceſſors, vj. li. xiij. s. iiij. d. whereof one halfe to the K. &c. the other halfe to the I. which will ſue for the ſame in any of the kings Courts of record, by A. S. B. P. or I. wherein no W. E. or other delay ſhall be admitted. 1. Iac. 16.

1 The forf. of Boatmen for carrying any Corne &c. to a Ship to be tranſported. S. Corne.

Bowes, Bowſtaues.

4. Bowſtaues brought in for euery Tun of marchandize.

IF any Marchant ſtranger, or any ſeruant, attorney, or factor of any of them, which will bring, ſend, or conuey into this Realme any marchandize in Caracke, Galley, or Ship, from the Citie or Countrey of Uenice, or any Countrey from the Eaſt parts, from the Ivry. Haunce Townes, or from whence any Bowſtaues haue bin heretofore brought, do not bring in the ſame Ship wherein the marchandizes be, for euery Tun weight of marchandize fower Bowſtaues, he ſhall forfait to the K. and I. vj. s. viij. d. for euery default of bringing euery Bowſtaffe, to be recouered by A. I. &c. wherein no W. &c. E. P. 12. Ed. 4. 2. 13. Eliz. 14.

2. Bowſtaues brought in for a Butt of Malmſey or Tyre.

2 If any Marchant of Uenice, or other, ſhall bring or conuey into this Realme any Malmſey, or Tyre, and do not bring with euery Butt of either of them ten Bowſtaues, good and able ſtuffe, he ſhall forfait viij. s. iiij. d. to the K. and I. &c. for euery Butt ſo brought, and not of the ſaid number of Bowſtaues with the ſaid Butt. And the ſaid Bowſtaues ſhall not be ſold vngarbled, but to ſuch perſons as be borne vnder the kings obeiſance. 1. R. 3. 11.

Bowſtaues garbled.

Who may ſhoot in Bowes of Elme.

3 If any perſon vnder the age of xxij. yeares, do ſhoote in any Bow of Ewe bought for him, he ſhall forfait vj. s. viij. d. (except his Father or Mother haue lands or tenements to the yearely value of x. li. or be worth in moueables the ſumme of xl. Markes.) 33. H. 8. 9.

Bowes of Elme, Aſhe, Witchhaſell.

4 If any Bowyer dwelling within the Citie or ſuburbes of London or Weſtminſter, or the Borough of Southwarke, wanteth by the ſpace of twenty dayes, fiftie good and able Bowes of Elme, Witchhaſell, or Aſhe, ready made, and mete to be ſold and vſed, he ſhall for euery Bow ſo wanting of the aforeſaid number forfait x. s. to the K. & I. &c. being an Armorer, Fletcher, or Bowſtringmaker, to be recouered

recouered by A. J. &c. wherein no P. W. &c. 8. El. 10. And euery Bowyer dwelling elſe where, which doth not for euery Bow which he maketh of Ewe, make iiij. other Bowes of ſome other wood apt for ſhoting, ſhall forfait for euery Bow ſo wanting to the K. and J. &c. iij. s. iiij. d. 33. Hen. 8. 9. 8. Eliz. 10. S. Iuſtices of Peace 63.

5 If any Bowyer do ſell any Bow mete for mens ſhoting being of outlandiſh Ewe, of the beſt ſort, aboue the price of vj. s. viij. d. of the ſecond ſort aboue iij. s. iiij. d. of the courſe ſort called liuerie Bowes aboue v. s. of Engliſh Ewe aboue v. s. a peece, he ſhall forfait for euery Bow ſo ſold aboue the price aforeſaid xl. s. to the K. and J. &c. being an Armorer, Fletcher, or bowſtringer, to be recouered by A. J. &c. wherein no W. E. P. &c. 8. Eliz. 10. 1. Iac. 25. to continue in force vntill the end of the firſt Seſſion of the next parliament. S. Archerie. *The prices of Bowes.*

1 Bowſtaues brought into this Realme, ſhalbe ſearched and marked. S. Corporations 27.

Braſſe, Latten, Copper, and Bell Mettall.

NO perſons ſhall carie or conuey, or ſhip, to the intent to carrie or conuey any Braſſe, Copper, Latten Bell mettall, Pan mettall, or Shrofe mettall, whether it be clere or mixed (Tin and Lead onely excepted) into any part beyond the Sea, or into any outward dominion, vpon paine to forfeit the double value thereof, and x. li. for euerie thouſand weight of the ſame mettall ſo carried, or ſhipped to the intent to be carried, to the K. and J. to be recouered by A. B. P. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 7. 2. E. 6. 37. *No Braſſe, Latten, &c. ſhalbe tranſported.*

2 The arriuall, diſcharge, and deliuery of the ſaid mettals in any forrein dominion, ſhall be tried and determined within this Realme in ſuch Countie or place where the ſaid mettals were ſhipped, or firſt carried, with like proces and determination as all other Informations or actions be tried and adiudged within this Realme, or as the ſame fact had bin done within this Realme. 33. H. 8. 7. 2. E. 6. 37. *Triall of a forreine act within this Realme.*

3 No perſon ſhall ſhip or carrie any of the ſaid Mettals prohibited by this ſtatute, to carrie or diſcharge the ſame in any part of this Realme, vnleſſe before the ſhipping thereof he do declare to the Cuſtomer of ſuch Port or Creke, where the ſame mettall ſhalbe ſhipped, the true weight of all ſuch mettall as ſhall be ſhipped, and ſhall alſo before the ſhipping thereof, make a ſufficient Obligation in the law, in which he ſhalbe bound to the ſaid Cuſtomer to the K. vſe, in ſuch ſumme as ſhall amount to the double value, and ten pound for euery thouſand weight ſo declared, with condition that the ſame Mettals ſhall be diſcharged at ſome Port or creke within this Realme, & in no other place, vpon paine to forfeit the ſame. And euerie ſuch perſon that ſhall ſhip ſuch mettals, and ſhall be bound as is aforeſaid, ſhall within eight moneths next after the ſhipping thereof, bring a true certificat from the Cuſtomer of the port, creke, or place where he ſhall diſcharge the ſame, teſtifying that the ſame mettal ſo ſhipped and the true weight thereof is there diſcharged, which certificat the Cuſtomer of ſuch place where the ſaid Mettall ſhall be diſcharged, ſhal vpon diſcharge therof make & deliuer to the partie ſo diſcharging, or to his factor without any delay. And if the Cuſtomer or his deputie doe make a falſe certificate, concerning the diſcharging of ſuch mettall, then he ſhall loſe his office, and the value of the goods concealed out of the ſaid certificat. And if any Cuſtomer, Comptroller, or his deputie, by any vndue meane will ſuffer any perſon, after the mettall is ſhipped or carried, contrary to the meaning of this Act, to make an Obligation without date, for the diſcharge & certificat of his mettall, then ſuch Cuſtomer ſo ſuffering or receiuing ſuch obligation, ſhall loſe his office, and the value of *He ſhall be bound which carrieth mettals to diſcharge the ſame within this realme.* *Cuſtomer of the Port.*

the mettall ſo ſhipped or carried. And if any Maiſter, owner, purſer, or boatſwaine of any ſhip, do willingly permit any of the Mettals aboueſaid to be ſhipped, contrarie to the tenor of this Act, or elſe perceyuing any ſuch Mettall to be ſhipped, do not diſcloſe the ſame within three dayes after knowledge had, to the Cuſtomer or Comptroller of the ſame Port, or his Deputie, where the ſame is ſhipped, then he ſhall forfeit the double value of the ſame Mettall to the King and Informer, to be recouered by A. B. P. I. &c. wherein no W. &c. E. P. &c. 33. H. 8. 7. 2. Ed. 6. 37. S. Cuſtome &c. 19.

Maſter of the ſhip which carrieth the braſſe.

4 If the ſaid Mettall by tempeſt of weather be drowned, or by enemies or pyrates robbed & ſpoiled, and that ſufficiently proued without fraude before the Cuſtomer and Comptroller, or their ſufficient deputies, in the port where the party ſo ſhipped the Mettals aforeſaid, or any of them, by the ſaid partie or his executors, then he bringing ſuch ſufficient proofe, ſhal haue his Obligation to him deliuered, or elſe he & his executors thereof ſhall be clerely diſcharged. 33. H. 8. 7. 2. E. 6. 37.

If the Mettal be drowned, or robbed.

5 No perſon ſhall lade, ſhip, or carrie into any part beyond the Sea, any of the Mettals aforeſaid, but onely out of ſuch Port or creeke where the Cuſtomer or his deputie is reſident and dwelling, vpon paine of forf. of the ſaid Mettall, & x. li. for euery thouſand weight ſo ſhipped or carried, to the K. and I. to be recouered by A. B. P. I. &c. wherein no W. &c. E. P. &c. 2. E. 6. 37.

No Mettall ſhall be laden but where there is a Cuſtomer.

1 Where veſſels of Braſſe ſhall be ſold, of what goodneſſe it ſhall be, and what weight ſhall be thereof vſed. S. Pewter 1. 2. 4.

Bridges.

WHere it cannot be knowne & proued what Hundred, Riding, wapentake, Citie, Borough, Towne, or Pariſh, nor what perſon certaine, or bodie politike, ought of right to make Bridges decayed, in euery ſuch caſe the ſaid Bridges (if they be without Citie or Towne corporat) ſhal be made by the Inhabitants of the Shire or Riding within the which the ſaid Bridge decayed ſhall be, and if it be within any citie or towne corporat, then by the Inhabitants of euery ſuch citie or towne corporat. And if part of any ſuch Bridges be in one ſhire, riding, citie, or town corporat, & the other part therof in an other ſhire, riding, citie, or town corporat, or if part be within ỹ limits of any city or town corporat, & part without, or part within one riding, & part within an other, then the Inhabitants of the ſhires, rydings, cities, or towns corporats, ſhalbe charged to make & repaire ſuch part of ſuch Bridges ſo decaied, as ſhall lie and be within the limits of the ſhire, riding, citie, or town corporat, wherin they be inhabited at the time of ỹ ſame decaies. 22. H. 8. 5.

A remedy where it is not knowne who ought to repayre Bridges.

2 In euery ſuch caſe where it cannot be knowne & proued what perſons lands, tenements, and bodies politique, ought to make & repaire ſuch Bridges, the Iuſt. of peace within the ſhires, or ridings, wherein ſuch decaied Bridges be, out of Cities, and Townes corporat, and if it be within cities or townes corporat, then the Iuſtices of peace within euery ſuch citie or towne corporat, or foure of the ſaid Iuſtices at the leaſt, whereof one to be of the Quorum, haue power within the limits of their ſeuerall commiſſions, to call before them the Conſtables of euery towne & pariſh within the ſhire, riding, citie, or towne corporat, aſwell within liberties, as without, wherein ſuch Bridges or any parcell thereof ſhal happen to be, or elſe two of the moſt honeſt Inhabitants within euery ſuch towne or pariſh, &c. by the diſcretion of the ſaid Iuſtices &c. and vpon the apparance of ſuch Conſtables or Inhabitants, the ſaid Iuſtices, or foure of them, whereof one to be of the Quorum, with the aſſent of the ſaid Conſtables or Inhabitants, haue power to tare, & ſet euery Inhabitant in euery ſuch citie, towne, or pariſh, within the limits of their commiſſions, to ſuch reaſonable aide and ſumme of money, as they ſhall thinke ſufficient for the redifying & amending of ſuch Bridges: and after ſuch taxation made,

The Inhabitants of the Shire taxed for the amendmẽt of decaied Bridges.

the

the ſaid Juſtices ſhall cauſe the names and ſummes of euery particular perſon ſo by them tared, to be written in a roll indented. 22.H.8.5.

3 And the Juſt. of P. haue power to make two Collectors of euery Hundred, for collection of all ſuch ſummes of money by them tared, which Collectors receiuing the one part of the ſaid Roll indented vnder the ſeales of the ſaid Juſtices, ſhall haue power to collect all the particular ſummes of money therein contained, and to diſtraine euery ſuch Inhabitant, (as ſhall be tared, and refuſe payment thereof) in his lands, goods, and cattels, and to ſell ſuch diſtreſſe, & of the ſale thereof retaine and receiue all the Money tared, and the reſidue (if the diſtreſſe be better) to deliuer to the owner thereof. 22.H.8.5. Collectors of euery Hundred.

4 And the ſame Juſtices, or foure of them, within the limits of their commiſſions, haue power to appoint two Surueiors, which ſhall ſee euery ſuch decayed Bridge repaired from time to time as often as need ſhall require, to whoſe hands the ſaid Collectors ſhal pay the ſaid ſummes of money tared & by them receiued: and euery of the Collectors and Surueyors, their Executors and Adminiſtrators &c. from time to time ſhal make a true declaration and accompt to the Juſt. of peace of the Shire, Riding, Citie, or Towne corporat, wherein &c. or to foure of the ſame Juſt. whereof one to be of the Quorum, of the receipts, paiments, and erpences of the ſaid ſummes of money. And if they or any of them refuſe that to doe, then the ſame Juſtices of peace, or foure of them, haue power to make Proces againſt the ſaid Collectors, Surueyors, &c. and euery of them, by attachements vnder their ſeals, returnable at the generall Seſſions of the peace: and if they appeare, then to compell them to accompt as is aforeſaid, or elſe if any of them refuſe that to do, then to commit him to ward, there to remain without baile or mainprize, till the ſaid declaration and accompt be truly made. And the Juſt. of peace, or foure of them, haue power to allow ſuch reaſonable coſts and charges to the ſaid Surueiors and Collectors, as by their diſcretion ſhalbe thought conuenient. 22.H.8.5. Surueyors which ſhall ſee the Bridge repayred. Collectors & Surueyors accompt.

5 And where any Bridge or Bridges lie in one Shire or Riding, and ſuch perſons inhabitants, bodies politique, lands or tenements which ought to be charged to the making and amending thereof, lie and abide in any other Shire, or Riding, or where ſuch Bridges bene within any Citie or Town corporat, and the perſons inhabitants, bodies politique, lands or tenements that owen to make or repaire any ſuch Bridges, lie and be out of the ſaid Cities or Townes corporat: In euery ſuch caſe the Juſtices of peace of the Shire, Citie, or Towne corporat within the which ſuch decayed Bridges or any part thereof ſhall bee, haue power to enquire, heare, and determine all ſuch annoiances being within the limits of their Commiſſions. And if the annoyance be preſented, then to make proces into euerie Shire within this realme, againſt ſuch as owen to make, or amend any ſuch bridges, ſo preſented before them to be decayed, to the annoyance and let of the paſſage of the kings ſubiects: And to do further in euery behalfe in euery ſuch caſe as they might do by authoritie of this Act, in caſe that the perſons, lands &c. which owen to be charged to the amending or making of ſuch Bridges, or any part thereof, were in the ſame Shire, Riding, Citie, or Towne corporate, where ſuch annoyance ſhall happen to be. 22.H.8.5. Proces againſt the parties in another Shire which ſhould repaire the Bridges.

6 This Act ſhall not be preiudiciall to the libertie of the fiue Ports, or members of the ſame, for reformation of annoyances of Bridges within the ſaid Ports and members: But the Wardens, Mayors, and Bailifes elected, and Jurates of the ſame Portes, and euery of them, haue power to inquire, heare, and determine all maner of common annoyances of Bridges within the ſame Portes and members, and to make ſuch proces, paines, taxations, and all other things within the ſame Ports & members, as the Juſtices of peace may doe in other Shires or places out of the ſame Portes, by vertue of this Act in euery behalfe. 22.H.8.5. Fiue Ports.

7 Juſtices

Bridges decayed and the high way thereunto adioyning.

7 Iuſtices of Peace, or foure of them at the leaſt, whereof one to be of the Quorum, haue power to inquire, heare, and determine in their generall Seſſions, of all annoyances of Bridges broken in the High wayes, and of all annoyances of high wayes which lie next adioyning to the ends of the bridges, and 300. fot from the ſame diſtant, and to make proces & paines againſt ſuch as ought to be charged &c. And to doe in euery thing, concerning the making, repayring, and amending of euery ſuch high way, in as large maner as they may do, for the making, repairing, and amending of Bridges by this Act. 22. H. 8. 5.

Serving proces.

8 All Shiriſes and Bailiſes of Liberties and Franchiſes, ſhal truely ſerue and execute ſuch proces, as ſhall come to their hands from the Iuſtices of peace before whom any preſentment ſhall be had, for any annoyance of Bridges, according to the tenor and effect of the ſaid proces to them directed, without fauour, affection, or corruption, vpon paine to make ſuch fine as ſhall be ſet vpon them, or any of them, by the ſaid Iuſtices. 22. H. 8. 5. S. Iuſt. of peace 70.

1 No Village, or Freeman, ſhall be diſtrained to make any Bridges, but ſuch as are woont to do it. S. Weares 1.

2 Eden and Preſtbecke Bridges in the Countie of Cumberland. S. 43. Eliz. 16.

3 Newport and Carlion bridges in the Countie of Monmouth. S. 39. Eliz. 23.

4 Wilton bridge in the Countie of Hereford. S. 39. Eliz. 24.

5 Rocheſter bridge in the Countie of Kent. S. 9. H. 5. 12. 18. Eliz. 16. 27. El. 25.

6 Burford and Culhamford bridges in the Countie of Oxford. S. 8. H. 6. 28.

7 Stanys bridge in the Countie of Middleſex. S. 1. H. 8. 9.

8 Chepſtow bridge in the Countie of Glouceſter and Monmouth. S. 18. El. 17. 3. Iac. 23.

9 Cardiffe bridge in the Countie of Glamorgan. S. 23. Eliz. 11.

10 The bridge by Vpton vpon Seuerne. S. 3. Iac. 24.

Brokers.

The ſale of goods wrongfully gotten.

NO ſale, exchange, pawne, or mortgage, of any Iewell, plate, apparell, houſhold ſtuffe, or other goods of what kind, nature, or qualitie ſoeuer the ſame ſhall be of, and that ſhall be wrongfully, or vniuſtly purloyned, taken, robbed, or ſtolne from any perſon or perſons, or bodies politike, and which at any time hereafter ſhall be ſolde, vttered, deliuered, exchanged, pawned, or done away, within the Citie of London, or Liberties thereof, or within the Citie of Weſtminſter in the Countie of Middleſex, or within Southwarke in the Countie of Surrey, or within two Miles of the Citie of London, to any Broker, or Brokers, or Pawne takers, by any way or meanes whatſoeuer, direcly, or indirectly, ſhal worke or make any change or alteration of the propertie or intereſt, of, and from any perſon or perſons, or bodie politike, from whom the ſame Iewels, plate, apparell, houſhold ſtuffe, or goods, were, or ſhall be wrongfully purloyned, taken, or ſtolne: any law, cuſtome, &c. notwithſtanding. 1. Iac. 21.

A Broker ſhall declare what ſtolne goods be come to his hands.

2 If any perſon or perſons, or bodies politike, from whom any Iewels, plate, apparell, houſhold ſtuffe, or any kind of goods whatſoeuer, ſhall be wrongfully purloyned, taken, ſtolne, or robbed, ſhall require & demand of any Broker, or Pawne taker, to declare whether any ſuch goods be come to his or their poſſeſſions, and to declare, ſhew, & manifeſt the ſame, and how, & by what means he had them, or came by the ſame, & how, when, & to whom he hath deliuered, conueyed, or beſtowed and imploied the ſame: And ſuch Broker vpon any ſuch requeſt & demaund to be made, ſhall deny, & refuſe to diſcloſe, tell, or manifeſt the ſame truely & iuſtly, ſhall forfait to the true owner or owners of ſuch Iewels, plate, apparel, houſhold ſtuffe, & other goods, from whom the ſame were wrongfully purloyned, taken, ſtolne, or robbed,

double

double the value thereof that ſhall be denied & refuſed to be diſcloſed, told, & manifeſted, as aforeſaid: The ſame double value to be recouered by the true owner or owners of ſuch goods, for whom they were wrongfully purloyned, ſtolne, &c. to be recouered by Action of debt, B. or P. in any of the kings Courts of record at Weſt. or within the Citie of London, wherein no E. W. or P. ſhal be allowed. 1. Iac. 21.

3 This Act ſhall not be preiudiciall to the auncient trade of Brokers within the Citie of London, vſing and exerciſing the auncient trade of Brokers, betweene Marchant & Marchant, or other Traders or Occupiers within the ſaid Citie and the liberties of the ſame, being ſelected out of Companies whereof they are free and members, according to the auncient cuſtome of the ſaid Citie. 1. Iac. 25. The auncient trade of Brokers.

1 For Brokers in buying of Wooll. S. Wooll 10.

2 For Brokers in Vſurious Bargaines. S. Vſurie 7.

Brewer.

IF any Brewer, which bruеth Beere, or Ale, to ſell, ſhall by himſelfe, or other to his vſe, occupie the myſterie of Coopers, or make Barrels, Kilderkins, Firkins, or other veſſels of wood, by himſelfe, or any of his owne ſeruants, wherein to put his Beere or Ale to ſale, he ſhall forfeit for euery veſſell made contrarie to the tenor of this Act, iij. ſ. iiij. d. to the King and I. to be recouered by A. I. &c. wherein no W. E. P. &c. But a beere Brewer, or an ale Brewer, may keepe in his ſeruice a Cooper, to binde, hoope, pinne, and amend his veſſels. 23. H. 8. 4. No Brewer ſhall be a Cooper.

2 If an Ale or Beere brewer do ſell or take for any barrell, kilderkin, or firkin, of Ale or Beere, aboue ſuch prices & rates as ſhall be aſſeſſed by the Iuſtices of P. in the Shire, or by the Mayor, Shirife, or head Officer of the Citie, Borough, or Towne corporat, where the ſaid ale or beere Brewer doth dwell, he ſhall forfeit for euery Barrell ſo ſold vj. ſ. for euery Kilderkin iij. ſ. iiij. d. for euery Firkin y. ſ. for euery leſſe veſſell ry. d. and for a greater then a Barrell x. ſ. to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 23. H. 8. 4. S. Iuſtices of peace 78. Corporations 10. Coopers 1. 2. 4. &c. The prices of Ale & Beere.

Buggery.

THe offence of Buggery from henceforth ſhall be adiudged Felony, and ſuch order and forme of Proces therein ſhall be vſed againſt the offendors, as in caſes of Felonie at the Common Law. And the offendors being thereof conuict by verdict, confeſſion, or outlawrie, ſhall ſuffer ſuch paines of death, and loſſes and penalties of their goods, cattels, debts, lands, tenements, and hereditaments, as Felons béen accuſtomed to doe according to the order of the common Lawes of this Realme. And no perſon offending in any ſuch offence ſhal be admitted to his Clergie. And the Iuſtices of Peace, ſhall haue power and authoritie within the limits of their commiſſions and iuriſdictions, to heare and determine the ſaid offence, as they do vſe to do in caſes of other Felonies. 25. H. 8. 6. 5. Eliz. 17. Buggery.

Burning.

WHoſoeuer doth maliciouſly, willingly, and vnlawfully burne, or cauſe to be burned, any Waine, or Cart, laden with an other mans goods, or any heap of Wood of any other perſons prepared and felled for making of Coales, Billets, or Talwood, ſhall forfeit to the partie grieued, treble dammages, to be recouered by action of Treſpas, and to the King x. li. for a fine, 37. H. 8. 6. Burning of an othet mans goods or woods.

Butchers.

Butchers.

A Butcher ſhall not buy cattell and ſell them aliue.

IF any perſon being a Butcher, and vſing the myſterie of Butcherie, ſhall buy any fat Oxen, Steeres, Konts, Kine, Heifors, Calues, or Sheepe, and ſell, or cauſe to be ſold the ſame againe on liue, he ſhall forfeit to the King and I. the ſame Oxen, Steeres, &c. bargained or ſold, to be recouered by A. I. &c. wherein no W. E. P. &c. But euery perſon being a Butcher, and vſing the myſterie of Butcherie, ſhall and may at his pleaſure buy any fat Oxen, Steeres, Konts, Kine, Heifors, Calues, and Sheepe, or any of them, out of any open Fayre or Market, ſo that he ſell not, nor cauſe the ſame to be ſold againe on liue. 3. & 4. Ed. 6. 19. 1. Iac. 25. to continue to the end of the firſt Seſſion of the nert Parliament.

Butchers ſhall kill no weanlings.

2 If any Butcher, or other perſon inhabiting within this Realme, Wales, or the Marches of the ſame, do kill, or cauſe to be killed, any Weaneling, Bullocke, Steere, or Heifor, being vnder the age of two yeares, to the intent to ſell the ſame whole, or by retaile, he ſhall forfeit to the King & Informer for euery ſuch Weanling killed, and put to ſale, vj. s. viij. d. to be recouered by A. I. &c. wherein no W. E. P. &c. 24. H. 8. 9. 1. Iac. 25. To endure to the end of the firſt Seſſion of the nert Parliament.

Butchers ſhall not kill cattell within any walled towne.

3 No Butcher or his ſeruant ſhall kill any beaſt within the ſcalding houſe in London, or within the wall of London, vpon paine to forfeit for euery Ore ry. d, and for euery Cow and other beaſt viij. d. to the King and him that will ſue by A. of debt, wherein no E. P. &c. And this Act extendeth and ſhall be obſerued in euery Citie, Borough, and Towne walled within England, and in the Towne of Cambridge, (the Townes of Berwicke and Carlile excepted.) 4. H. 7. 3.

A Buttcher ſhall not ſell meſled nor morein fleſh.

4 A Butcher that ſelleth Swines fleſh meſled, or fleſh dead of the Morein (after he ſhall be conuicted thereof) for the firſt time he ſhall be grieuouſly amerced, the ſecond time he ſhall be iudged to the Pillory, the third time he ſhal be impriſoned and make fine, and the fourth time he ſhall forſweare the Towne. And in this maner ſhall it be done of all that offend in like caſe, as of Cookes that ſæth Fleſh or Fiſh any wayes that is not holſome for mens bodie, or after that they haue kept it ſo long, that it loſeth the naturall halſomeneſſe, then ſæth it againe and ſell it. 51. H. 3. 51. Ed. 1.

Cookes.

1 Butchers ſhall not gaſh any Hides. S. Leather 1.
2 Butchers ſhal not conſpire to ſell their victuals at certaine prices. S. Artificers 1.
3 A Butcher ſhall not kill a Calfe vnder 5. weekes old. S. Leather 2.
4 A Butcher ſhall not be a Tanner. S. Leather 3.

Butler of the King.

The K. Butler ſhal take no more wines then ſhall be appointed.

THe Steward of the K. houſe, and Treaſorer of the Wardrobe, ſhal ſend to all the Ports of England where Wines be to be taken to the Kings vſe, the certaine number which the Butler ſhall take in euery part, ſo that nothing be taken ouer that number: And the Maior & Bailifes of the ſaid Portes ſhall certifie the ſaid Steward & Treaſorer, of the number of all the Tunnes ſo taken by the Butler, or his Lieutenant, vnder the ſeale of the ſaid Maior & Bailifes, by Indentures made betweene them and the takers of the ſaid wines. And in caſe that it be found that the Butler or his Lieutenant take more, or take reward of any, or delay any by colour of his office, or by arreſt, he ſhall make græ to the partie of double, and ſhall be put out of his office, and ſhall be impriſoned, & puniſhed at the K. pleaſure: and the King ſhall appoint his Iuſtices whom it ſhal pleaſe him, to inquire of theſe matters. And the Butler ſhall anſwere aſwell for his Deputies, as for himſelfe, where they be not ſufficient. 25. E. 3. 21.

2 The Kings Butler, nor none of his Lieutenants, ſhall buy, imbrace, or take by colour of their office, nor in other maner to their proper vſe, nor of others, more Wines for the Kings houſe & expences then they haue in commaundement, vpon paine of impriſonment of their bodies, and to be punished at the Kings pleaſure. And aſmuch as they ſhall take by force of the ſaid warrant, ſhall be taken within ten dayes, and that being done, the Marchants of the ſaid Wines, may, and it ſhal be lawfull for them, of the reſidue of the ſaid Wines to make their profit, notwithſtanding any arreſt made vpon ſuch Wines by the Butler, or any of his Lieutenants aforeſaid. 43. Ed. 3. 3.

1 The Lieutenant of the Kings Butler ſhall make no Deputie. S. Cuſtomers.

2 For the weight of a wey of Cheeſe. S. Weights 6.]

Butter and Cheeſe.

Butter and Cheeſe bought to be ſold againe.

IF any perſon do buy to ſell againe, any Butter, or Cheeſe, vnleſſe he ſell the ſame againe in open Shop, Fayre, or Market, and not in groſſe, but by retaile (that is to ſay, a wey of Cheeſe, or a barrell of Butter, or leſſe quantitie, and not aboue, ſold at one time) or except he be an Inholder, or Victualer, which vttereth the ſame Butter, or Cheeſe, by retaile in his houſe, he ſhall forfeit to the King and I. double the valus of the Butter and Cheeſe ſo ſold, to be recouered &c. wherein no W. E. P. &c. 3. & 4. Ed. 6. 21. 1. Iac. 25. To endure to the end of the firſt Seſſion of the nert Parliament.

1 No Butter or Cheeſe ſhall be tranſported to any forraine Region without Licence. S. Corne 1.

Buttes.

THe Inhabitants in euery Citie, Towne, and place, are compelable to make and continue Buttes, vpon paine to forfeit for euery three Monethes ſo lacking xx. s. And the ſaid Inhabitants ſhall exerciſe themſelues with long Bowes, in ſhoting at the ſame, and elſewhere, on Holy dayes, and other times conuenient. 33. H. 8. 9. S. Iuſtices of peace 63.

Cables, Halſers, Roopes.

Hempe growing within 5. miles of Burport ſhall be ſold there.

NO perſon or perſons dwelling or inhabiting within the diſtance of fiue Miles from the Towne or Borough of Burport in the County of Dorſet, ſhall ſell, or cauſe to be ſold out of the Market, holden and to be holden within the ſame Towne & Borough of Burport, to any perſon or perſons, any Hempe which ſhall happen to grow within the ſaid fiue Miles in diſtance from the ſaid Town or Borough, vpon paine of forfeiture of the ſaid Hempe ſo ſold, or to be ſold in any place or places within the diſtance of the ſaid fiue Miles out of the ſaid town, Borough, or Market, contrarie to the forme & effect of this Statute. The one halfe of which forfeiture ſhall be to the King, the other to the I. to be recouered by Action of debt, Bill, or Information, wherein no W. E. P. &c. 21. H. 8. 12.

Cables and Tackle of Hempe ſhall be made in Burport.

2 No perſon or perſons, other then ſuch which ſhall dwell and be Inhabitants within the ſaid towne of Burport, ſhall make out of the ſaid Towne, any Cables, Halſers, Ropes, Tracers, halters, or any other Tacle made of Hempe in any other place or places within the ſaid diſtance of fiue Miles, from the ſaid Towne, vpon paine of forfeiture of the ſame Cables, Halſers, &c. made and to be made contrarie to the forme and effect of this Statute to the K. and I. to be recouered by A. B. I. wherein no W. E. P. &c. Prouided, that euery perſon dwelling within the ſaid diſtance, may make Cables, Halſers, Ropes, Traces, and other Tackle for their

20. l. of hempe a ſtone.

owne vſe and occupation, but in no wiſe againſt this Act. Prouided alwaies, that twentie pound weight ſhall be accounted to the Stone. 21. H. 8. 12. 1. Iac. 25. To continue in force to the firſt Seſſion of the next Parliament.

Cables of old ſtuffe aboue vij. ynches.

3 If any perſon or perſons ſhall make or cauſe to be made any Cables of any old and ouerworne ſtuffe, which ſhal containe aboue ſeuen ynches in compaſſe: Then euery perſon ſo offending, ſhall forfeit foure times the value of euery ſuch Cable ſo by him or her made, or cauſed to be made, as is aforeſaid. 35. Eliz. 8.

Cables of old ſtuffe vnder vij. ynches.

4 If any perſon or perſons ſhall tarre, or cauſe to be tarred any Halſers, or other Cordage made within this Realme, of ſuch old and ouerworne ſtuffe, as is aforeſaid, being of leſſer aſſiſe, & not containing in compaſſe vij. ynches, and ſhall after by way of retaile, ſell, or put to ſale, or cauſe to be ſold, or put to ſale, the ſame being ſo tarred: Euery perſon ſo offending, ſhall forfeit the treble value of euery Cable, Halſer, & other Cordage, being of leſſer aſſiſe, and made of ſuch old & ouerworne ſtuffe, as is aforeſaid, which ſhall be ſo ſold, or put to ſale, being tarred as aforeſaid, to the K. and I. to be recouered by A. B. P. or I. wherein no E. P. or Wl. &c. And furthermore, euery perſon which ſhall in any wiſe offend againſt the

Impriſonmẽt

tenor and meaning of this Act, ſhall be impriſoned for the ſame during her Maieſties pleaſure. 35. Eliz. 8.

Captaines, Souldiers, Muſters.

Souldier making away his Horſe or Harneis.

IF any Souldier ſeruing the King in his Warres, in any his Dominions, or on the Sea, beyond the Sea, or in Scotland, do ſell, giue away, or wilfully purloine, or otherwiſe exchange, alter, or put away any Horſe, Gelding, or Mare, or any Harneis wherewith he ſhal be ſet forth, then he (vpon due proofe or teſtimonie to be taken before the Lieutenant, high Admirall, the kings Deputie, vice-Admirall, Wardein, or Captaine, and in their abſence before any of their Deputies) ſhal be impriſoned by the ſame Lieutenant, or any other before named, there to remaine without baile or mainprize, vntill he hath ſatiſfied to the owner of the Horſe, Gelding, Mare, or Harneis, ſo by him ſold, purloyned, exchanged, &c. (And alſo the ſaid ſale made by ſuch Souldier to any perſon knowing him to be a Souldier, ſhall be void againſt him that ſet forth the ſaid Horſe, Harneis, and weapon. 4. & 5. P. & M. 2.) And if ſuch Souldier ſo offending, fortune to eſcape from the Lieutenant, and other the foreſaid perſons, without the puniſhment and reſtitution aforeſaid: Then the ſame Souldier vpon complaint made by the partie grieued, or his executors, or adminiſtrators, vpon due proofe thereof to be made, to any Iuſtice or Iuſtices of Peace in the parts where ſuch Souldier ſhall be found, ſhall be by ſuch Iuſtice &c. committed to ward, there to remaine without baile or mainprize, vntill he hath ſatiſfied the party grieued, his executors or adminiſtrators, of, or for ſuch Horſes, Geldings, Mares, and Harneis, ſo by him wilfully loſt, exchanged, &c. 2. Ed. 6. 2. S. Iuſtices of peace 84.

If the horſe or armour be loſt in ſeruice, or appointed to another.

2 But if the ſaid Souldier bring any ſufficient warrant or teſtimonie before the ſaid Iuſtice, from the ſaid Lieutenant, or any of the perſons aboue named, in writing vnder the ſeal of any of them, teſtifying, that the ſame Horſe or Harneis were loſt in the K. ſeruice, againſt the will of the ſaid Souldier, or that the ſame Horſe or Harneis were taken by the ſame Lieutenant, or any of the others before named from the ſame Souldier for any reaſonable reſpect, and appointed to ſome other to ſerue in the peace of the ſaid Souldier, then euery ſuch Souldier not bringing to the owner the ſaid Horſe and Harnies, ſhalbe diſcharged thereof againſt the ſaid owner: And then euery ſuch Souldier, to whom the ſaid Horſe or Harnies ſhall be appointed, as is aforeſaid (not bringing home to the owner the ſaid Horſe & Harneis after he ſhalbe diſcharged) ſhall ſuffer like paine as aforeſaid. 2. Ed. 6. 2.

He to whom the horſe or armour is aſſigned, ſhall ſatiſfie the owner.

3 If

A souldier or Gunner departing from his Captaine without licēce

3 If any souldier, man of Armes, or Archer, which hath taken parcel of his wages of his captaine, hath mustered, and is entred of record the Kings souldier, (or any Mariner or Gunner taking prest or wages to serue the Queene, her heires, or successors on the Sea. 5. Eliz. 5. 1. Iacob. 25.) dooth not passe the Sea, or goe with his Captaine, (except notorious sicknesse, or impediment by Gods visitation doth stay him, which he shall immediately certifie to his Captaine, and repay his money) or else being in the enemies Countrie in garrison, or elsewhere in the Kings seruice where he is appointed to serue, doth depart without Licence of the Kings Lieutenant, Deputie, high Admirall, Vice-Admirall, Warden, Captaine, or in their absence, of their Deputies, then he shall be taken, iudged, and executed as a felon. 18. H. 6. 19. 2. Edw. 6. 2. 4. & 5. P. & M. 3.

A captaine licencing a souldior to depart.

4 If any Captaine appointed to haue the order of any number of Souldiers, vnder any other higher Officer, doe for any cause licence any Souldier in his retinue, to depart from the field, or fortresse where they shalbe appointed to serue without the speciall assent and licence in writing of the Lieutenant, Deputie, high Admirall, Vice-Admirall, Warden, Captaine, or in their absence, of their Deputies, he shall forfeit to the King for euerie such Souldier so licenced to depart rr. l. to be leuied of his goods and chattels. And if any Captain doe giue to any of his Souldiers, appointed to serue vnder him, in any Towne or Fortresse kept with Garrison of Souldier, any licence or passport to depart from his seruice, but onely the Lieutenant or others before named, the Captaine and souldiers so offending, shall be imprisoned at the discretion of the said Lieutenant or others. &c. 2. Edw. 6. 2.

A Captaine doth discharge one appointed to serue.

5 If any Commissioner or Captaine, to whome the King shall direct his commaundement by commission, or Letters for the leuying or setting forth of any men to serue in his wars, shall for any reward or lucre discharge any person by him appointed to serue the King as Captaine, Souldier, or Pioner of his seruice so appointed, and doe assigne any other person in his stead, for any lucre or gaine, then he so offending, shall forfeit to the King for euerie such default, of euerie man so discharged rr. l. to be leuied of his goods and chattels. 2. Ed. 6. 2.

A captain demaunding more wages then there is cause.

6 If any Lieutenant, Deputie, Admirall, Warden, Captaine, &c. hauing the order of any number of Souldiers seruing vpon the Sea or Land, doe demaund, receiue, or take of the King, or any of his Treasurers, any wages for any more Souldiers, then serued in such manner & forme, as the wages was payd for, or for any more daies then such souldiers serued, & do not note the day of euery souldiers entrie into wages, & day of his death & departure, and deliuer the same to such treasurers as shall pay ẏ said wages euery month in writing, so as the truth of ẏ number of ẏ Souldiers may appeare to the K. Treasurer, & maister of the Mustres, for the time being: Then euerie such Lieutenant, Deputie, Admirall &c. so offending shal forfeit to the King for euerie such default l. l. and bee imprisoned by the space of a moneth, and lose his office and roumth. But no Lieutenant, or other person afore said shall be charged or preiudiced for lacke of his number retained, for, or concerning any Souldier, which shall happen to die during his seruice, or to bee sicke by the visitation of God, or that shall depart against the will of his Lieutenant, or &c. vnlesse it shall bee in default of any of them. 2. Edw. 6. 2.

Retaining of wages.

7 This Statute is not preiudiciall to the Lieutenant, or any other the saide persons, or any other, nor any of them, hauing vnder them retinue of Souldiers, for not paying the Kings wages to their houshold seruants, & other to whome they shall daily finde and giue meate and drinke, during the said seruice of warre, or for detaining any part of any of the souldiers wages, toward, or for the paiment of victuals, harneis, weapons, or for any prest money prouided and deliuered to any such Souldier. 2. Ed. 6. 2.

Causes to retaine the souldiers wages.

8 It is lawfull to euery Lieutenant, Deputie, Admirall, &c. to retaine in his owne hands, to his owne vse, of the wages of his Souldiers these summes following, that is to say, vj.s.viij.d. for the Liuerie or Coat of euery yeoman Souldier, xiij.s.iiij.d. for the Liuerie or Coate of euery Gentleman Souldier for a whole yeare. 2. Ed. 6. 2.

Reliefe of friends or tenants toward seruice in war.

9 This Statute doth not charge any person for the receiuing of any gift or reward of any of his tenants or friends, towards the aide, helpe, or reliefe of the same person, beeing commanded by the King to serue in warres, or otherwise to finde men on horsebacke or on foote, as well within this Realme as without, nor for the gift, reward, aide, or helpe reserued, or couenanted to be paied or giuen to any person appointed to serue in warres, or to finde horse or men to serue, by reason of any graunt, couenant, reseruation, custome, or tenure. 2. Edw. 6. 2. But no person shall by colour hereof exact, demaund, or leuie any summe of money, horse, armour, or other thing, other then shall bee employed forthwith in the present seruice of those warres of the Quæne, for which it was leuied: the which summe of money, horse, armour, or other thing, or as much therof as shall not be spent, lost, or consumed in the said seruice, shall be reckoned to such person as paied and deliuered the same, vpon the penalties and forfeitures aforesaid. 4. & 5. P. & M. 3. Quære what these forfeitures be.

Quære.

Proclamatiõ of this Act.

10 If a Lieutenant of an armie doth not in euery field vnder his charge, proclaime the whole effect and contents of this Act euery moneth, and euery of the Kings Deputies and Captaines of any Fortresse, proclaime it within his charge once euery quarter of a yeare, he so offending, shall forfeit 10. li. 2. Ed. 6. 2.

The reward of the Informer.

11 Euery person giuing to the Lieutenant, or the others aboue named, true information of any offence aboue remembred, shal haue for his labour one months wages of him that shall be found faultie, to be paied by the hand of the Treasurer, vpon warrant of the Lieutenant, or &c. 2. Ed. 6. 2. 4. & 5. P. & M. 3.

Absenting frõ the Musters, or not bringing his best furniture.

12 If any person which shall be commanded, generally or specially, to muster before any such as shall haue authoritie or commaundement for the same by or from the Quæne, her heires or successors, or by any Lieutenant, Warden, or other person, authorized for the same, doth willingly absent himselfe from the same Muster, hauing no true and reasonable excuse of sickenesse, or other lawfull impediment, or at his apparance at such Musters, doth not bring with him such his best furniture, array, and armour, as hee shall then haue for his owne person in a readinesse, hee shall for euery such offence suffer tenne daies imprisonment, without baile or mainprise, by the commaundement of such as shall haue authoritie to take the same Musters, vnlesse hee doe agree with the said Commissioners, or two of them, to pay to the vse of the Qu. &c. for euery such offence xl.s. for a fine, which fine after the agreement for the paiment of the same, shall be certified and estreated into the Exchequer, by such as haue power to take the said Musters, or two of them vnder their seales, within two moneths next after such agreement, and then shall be leuied as fines assessed by Iustices of Assise or Gaole Deliuerie in their circuits are vsed to be. 4. & 5. P. & M. 3.

Dwellers in Cities shall be mustered only within the same.

13 No person inhabiting within any Citie, Borough, or Towne Corporate, being a Countie of it selfe, or in which any Iustices of Peace be, or hereafter shall be by Charter, shall bee compellable by vertue of this Act, to make his appearance with such furniture as is aforesaid, at any Muster to be had or taken out of the suburbs, Precinct, or Liberties of the same Citie, Borough, or Towne, nor before any person or persons authorized by Commission, or otherwise, as is aforesaid: vnlesse the Mayor, or other head Officer of such Citie, Borough, or Towne, and one other discreet inhabitant of the same at the least, bee ioyned in the same Commission or other authoritie with the same person or persons, so authorized. 4. & 5. P. & M. 3.

14 If

14 If any person which shall be commanded by the Queene, her heires or successors, by Commission, Letters, or otherwise authorised to leuie, Muster, or make any men to serue in her warres, or otherwise for the defence of this realme, doe by any meane exact, leuie, receiue, or take, or cause to be taken any money, or other reward or thing whatsoeuer of any person for seruice in the warres, or that shall bee appointed, named, or mustered to serue in any such seruice, or for the sparing or discharging of such person from the said seruice, then he shal forfeit ten times so much as he shall receiue, exact, or take, to the Q. and J. to be recouered by A. J. &c. wherin no W. E. P &c. But this act doth not take away or discharge any tenant or farmer of his seruice or couenant towards his Lord, for the finding of Horse, Armour, or Weapon, or for doing of seruice by himselfe, or by any other (which by the tenure of his land otherwise he is bound to doe) but he shall doe, yeelde, and paie the same &c. as before he should. 4. & 5. P. & M. 3. No man shall be constrained to finde men of Armes, Hoblers, or Archers, sauing they which hold by such seruice, if it bee not by common assent and graunt made in Parliament. 25. Ed. 3. 8.

Musters taking reward to discharge others.

The tenants seruice to his Lord.

15 If any Captaine, petit Captaine, or other, hauing charge of men for seruice in warre, shall for any aduantage or gaine by him to be receiued, discharge or licence any of the men or souldiers (appointed to serue in the warre vnder his rule or order) to depart from the same seruice, or shall not pay vnto his souldiers and to euery of them their full and whole wages, conduit, and coat money, within ten daies next after hee shall haue receiued the same, then the partie offending in giuing such licence or discharge, shall forfeit for euery such offence tenne times the value of the thing so receiued to the Queene and J. to be recouered by A. J. wherein no W. E. or P. &c. and shall also paie to euery such souldier from whom hee shall withhold any such wages, conduit, or coat money, treble the summe so withholden. 4. & 5. P. & M. 3.

A captaine doth licence his souldiers to depart, or doth not pay their wages.

16 If any offence touching Captains, petit Captaines, or other, hauing charge of men, shall be committed during the time that any armie or number of men, being vnder a Lieutenant, shall be assembled, and continue together, or by any Captaine &c. that shall serue any Lord, Warden, or other Chiefetaine, then vpon complaint thereof, the Lord Lieutenant, Warden, or other Chiefetaine, during the time of his commission, shall and may heare, order, and determine the same offences by his or their discretions. And if any Captaine, petit Captaine &c. shall be once conuicted or ordered by vertue of this Act, for any offence aforesaid, he shall not bee eftsoones vexed, troubled, sued, or conuicted for the same offence. 4. & 5 P. & M. 3. See Iustices of Peace 26. Leets 10.

By whom offences shall be reformed.

In offence but once punished.

17 Euery Parish within this Realme of England and Wales, shalbe charged to paie weekely such a summe of money towards the releefe of sicke, hurt, and maimed Souldiers and Mariners, that haue lost their limbs, or shall lose their limmes, or disable their bodies, hauing beene prest, and in paie for the Queenes seruice, as by the Iustices of Peace, or the more part of them, in their generall quarter Sessions, to be holden in their seuerall Counties, next after the feast of Easter next, and so from time to time at the like quarter Sessions, to be holden next after Easter, yearely shall be appointed, so as no Parish be rated aboue the summe of tenne pence, nor vnder the summe of two pence, weekely to bee paid, and so as the totall summe of such taxation of the Parishes, in any countie where there shall be aboue fiftie Parishes, doe not exceede the rate of fiue pence for euery Parish, in the same Countie: which summes so taxed, shall be yearely assessed by the agreements of the Parishioners within themselues, or in default thereof by the Church-wardens, and the petit Constables of the same Parish, or the more part of them, or in default of their agreement, by the order of such Iustices, or Iustice of Peace, as shall dwell in the same Parish, or if none bee there dwelling, in the parts next adioyning.

Euery parish charged with a weekly sum towards the releefe of souldiers.

The taxation of euery Parish.

Refusing to pay the money taxed.

And if any person shall refuse or neglect to paie any such portion of money so taxed, it shall be lawfull for the said Church-wardens and pettie Constables, and euery of them, or in their defaults, for the said Justices of Peace, or Justice, to leuie such summe by distresse, and sale of the goods or chattels of the partie so refusing, or neglecting, rendring to the partie the ouerplus raised vpon such sale. 43. Eliz. 3.

Church-wardens shall pay to the high Cõstables the money taxed.

18 The Church-wardens and pettie Constables of euery Parish shall truely collect euery such summe, and the same shall paie ouer vnto the high Constable, in whose diuision such Parish shall bee situate, tenne daies before the Quarter Sessions, to be holden next before, or about the Feast of the Natiuitie of Saint Iohn Baptist next, in the Countie where the said Parish shall bee scituate, and so from time to time quarterly within tenne daies before euery Quarter Sessions: And euery such high Constable, at euery such quarter Sessions in such Countie, shall paie ouer the same to two such Justices of Peace, or to one of them, or to two such other persons, or one of them, as shall bee by the more part of the Justices of Peace of the same countie elected, to bee Treasurers of the said Collection: The same other persons to be elected Treasurers, to bee such, as at the last taration of the subsedie next before the same Election, shall bee valued and sessed at tenne pounds in lands yearely, or at fortie pounds in goods: Which Treasurers in euery countie so chosen, shall continue but for the space of one whole yeare, and then giue vp their charge, with a due account of their receites and disbursements, at their meeting in Easter Quarter Sessions, or within tenne daies after, to such others as shall from yeare to yeare, in the forme aforesaid, successiuely bee elected. And if any Church-warden, pettie Constable, or high Constable, or his Executors, or Administrators shall faile to make paiment, in forme aboue specified, then euery Church-warden, and pettie Constable, his Executors or Administrators so offending, shall forfeit the summe of twentie shillings: And euery high Constable, his Executors or Administrators, the summe of fortie shillings, to be leuied by the Treasurers aforesaid, by distresse and sale, in manner before expressed, and to bee taken by the said Treasurers, in augmentation of their stocke, to the vses aforesaid. If any

A Treasurer failing of account, or neglecting his charge.

Treasurer, his Executors or Administrators, shall faile to giue vp his account within the time aforesaid, or shall bee otherwise negligent in the execution of his charge, then it shall bee lawfull for the more part of the Justices of Peace of the same Countie in their Sessions to assesse such fine vpon such Treasurer, his Executors, or his Administrators, as in their discretions shall seeme conuenient, so it bee not vnder the summe of fiue pounds. 43. Elizabeth. 3.

To which Treasurer the Souldier shall repaire for reliefe.

19 Euery Souldier or Mariner, hauing had his or their limmes lost, or disabled in their bodies by seruice, beeing in her Maiesties paie, as aboue is mentioned, or such as shall hereafter returne into this Realme, hurt or maimed, or grieuously sicke, shall repaire, if he be able to trauaile and make his complaint to the Treasurers of the Countie out of which hee was pressed, or if he were no prest man, to the Treasurers of the Countie where he was borne, or last inhabited, by the space of three yeeres, at his Election. And if hee be not able to trauell, to the Treasurers of the Countie where hee shall land, or arriue, and shall bring a Certificate vnto any of the Treasurers aforesaid, vnder the hand and Seale of the Generall of the Campe, or Gouernour of the Towne, wherein he serued, and of the Captaine of the Bande, vnder whom he serued, or his Lieutenant, or in the absence of the

Who shall make the souldiers Certificate.

said Generall or Gouernour, from the Marshall or Deputie of the Gouernour, or from any Admirall of her Maiesties Fleete, or in his absence, from any other Generall of her Maiesties shippes at the Seas, or in absence of such Generall, from the Captaine of the Shippe, wherein the said Mariners or Souldiers did serue the Queene, containing the particulars of his hurts and seruices:

Which

Which Certificat shall be also allowed by the general Muster-Master, for the time being, resident here within this Realme, or Receiuer generall of the Muster rols, the Treasurer, and Controller of her Maiesties nauie, vnder his hand, for the auoiding of all fraud, and counterfeiting: Then vpon such Certificat, such Treasurers as are before exprssed, shall according to the nature of his hurt, and commendation of his seruice, assigne vnto him such a portion of reliefe, as in their discretions shall seeme conuenient for his present necessitie, vntil the next Quarter Sessions, at the which it shall be lawfull for the more part of the Iust. of peace, vnder their hands, to make an Instrument of Graunt of the same, or like reliefe, to endure, as long as this Act shall stand or endure, in force, if the same Souldier or Mariner shal so long liue, and the same pention not be duely reuoked, or altered, which shall be a sufficient warrant to all Treasurers for the same Countie, to make paiment of such pention vnto such persons quarterly, except the same shall bee afterward by the sayd Iustices reuoked or altered: So that such reliefe as shall be assigned by such Treasurers or Iustices of Peace to any such Souldier or Mariner, hauing not borne office in the said warres, exceed not the summe in grosse, nor yearely pention of ten pounds: nor to any that hath borne office, vnder the degree of a Lieutenant, the summe of fiftéene pounds: nor to any that hath serued in the Office of Lieutenant, the summe of twentie pounds. And yet neuertheleſſe, it shall and may be lawfull to and for the Iustices of Peace, and others, hauing authoritie by this Act, to assigne pentions to Souldiers and Mariners, vpon any iust cause to reuoke, diminish, or alter the same, from time to time, according vnto their discretions, in the generall Quarter Sessions of the Peace, or generall assemblies for Cities or Townes Corporat, where the same pention shall bee graunted. 43. Eliz. 3.

Allowance of the Certificat.

Treasurers shall assigne reliefe to Souldiers.

Iustices shall grant reliefe to Souldiers.

How much reliefe shall be assigned.

The Iustices may alter the reliefe of a Souldier.

20 And whereas it must néeds fall out, that many of such hurt and maymed Souldiers and Mariners do arriue in Ports and Places, farre remote from the Counties, whence they are by vertue of this act to receiue their yearely Annuities and Pentions: As also they are prescribed by this act, to obtaine the allowance of their Certificats from the Muster-Master, or Receiuor general of the Muster rols who commonly is like to abide about the Court, or London, so as they shall néed at the first, prouision for the bearing of their charges to such places: It may bee lawfull for the Treasurers of the countie, where they shall arriue, in their discretion vpon their certificat (though not allowed) to giue them any conuenient reliefe for their iourney, to carrie them to the next countie, with a Testimoniall of their allowance, to passe on towards such a place. And in like manner shall it be lawfull for the Treasurer of the next countie to doe the like. And so from countie to countie (in the direct way) till they come to the place where they are directly to finde their maintenance, according to the tenor of this Statute. 43. Elizabeth. 3.

Souldiers arriuing far frō the place where they are to haue reliefe.

21 Euery the Treasurers in their seuerall counties, shall kéepe a true booke of Computation, of all such summes as they leuie, and also a Register of the names of euery such person, vnto whom they shall haue disbursed any reliefe: And shall also preserue, or enter euery certificat, by warrant whereof, such reliefe hath been by them disbursed. And also the Muster-Master, or Receiuor generall of the Muster rolles shall kéepe a Booke, wherein shall be entred the names of all such, whose certificats shall bee by him allowed, with an Abstract of their certificats. And euerie Treasurer returning, or not accepting the certificat brought vnto him from the sayd Muster-Master, shall write and subscribe the cause, of his not accepting, or not allowing thereof, vnder the sayd certificat, or on the backe thereof. 43. Eliz. 3.

The Treasurers booke of Computation and Register.

22 If any Treasurer shall wilfully refuse to distribute and giue any reliefe,

A Treasurer refusing to giue relefe.

according to the forme of this Act, it shalbe lawfull for the Ju. of P. in their Quarter Sessions, to fine such Treasurers by their discretions, as aforesaid: The same fine to be leuied by distresse, and sale thereof, to be prosecuted by any two of them, whom they shall authorize. 43. Eliz. 3.

A Souldier begging or counterfeiting a Certificat.

23 Euery Souldier or Mariner that shalbe taken begging in any place, within this Realme: Or any that shall counterfeit any Certificat in this act expressed, shall for euer lose his annuitie, or pention, and shall bee taken and adiudged, as a common Rogue, or Vagabond person, and shall haue and sustaine the same, & like paines, imprisonment, and punishment, as is appointed and prouided for common Rogues, and Vagabond persons. 43. Eliz. 3.

The surplusage of the stocke.

24 All the surplusage of money which shall be remaining in the stocke of any Countie, shal by the discretion of the more part of the Justic. of peace in their quarter Sessions, be ordered, distributed, and bestowed vpon such good and charitable vses, and in such forme as are limited and appointed in the Statutes made & now in force, concerning the relefe of the poore, and punishment of rogues and beggers. 43. El. 3.

Chiefe Officers in corporat Townes.

25 Prouided alwayes, That the Iust. of P. within any County of this realme, or Wales, shall not intromit or enter into any Citie, Borough, place, or towne corporat, where is any Iust. of P. for any such City, Borough, Place, or towne corporat, for the execution of any Article of this Act: But it shalbe lawfull to the Iustice and Iustices of peace, Maiors, Bailifes, and other head officers of those cities, boroughes, places and townes corporat, where there is any Iust. of peace, to proceed to the execution of this Act, within the precinct and compasse of their Liberties, in such manner as the Iustices of Peace in any countie may do, by vertue of this act: And that euerie Iustice of Peace within euery such Citie, Borough, Place, or Towne Corporat, for euery offence by him committed, contrarie to the meaning of this Statute, shall bee finable, as other Iustices of the Peace, at large in the Counties are in this act appointed to be: And that the Maior and Iustices of P. in euerie such Citie, Borough, Place, and Towne Corporat, shall haue authoritie by this Act, to appoint any person, for the receiuing of the said money, and paying the same, within such Citie, Borough, Place, or Towne Corporate: which person so appointed, shall haue authoritie to do all such things, and bee subiect to all such penalties, as High Constables, by vertue of this Act, should haue or be. 43. Eliz. 3.

How the forfeitures shalbe employed.

26 All forfeitures to bee forfeited by any Treasurer, Collector, Constable, Churchwarden, or other person, for any cause mentioned in this Act, shall bee employed to the relefe of such Souldiers and Mariners, as are by this Act appointed to take and haue relefe: and after that relefe satisfied, then the ouerplus thereof, with the ouerplus of the stocke, remaining in any the said Treasurers hands, shall be imployed, as is before mentioned, to the charitable vses expressed in the said Statutes, concerning the relefe of the poore, & for punishment of Rogues and Beggers, except the said Iustices or the more part of them, shall thinke meet to reserue & keepe the same in stocke, for the maintenance and relefe of such Souldiers & Mariners, as out of the same Countie may afterward be appointed to receiue relief and pentions. And that the relefe appointed to be giuen by this Act, shalbe giuen to soldiers and mariners out of the countie, or place where they were prested, so far forth as the Maration limited by this Act, will extend. And if the whole Maration there, shalbe before employed according to the meaning of this Act, or that they shall not be prest men, then out of the place where they were borne, or last inhabited by the space of three yeares, at his or their election. 43. El. 3.

27 Euerie pention assigned heretofore to any Souldier or Mariner, or that shall bee assigned, before the said Feast of Easter next, notwithstanding the discontinuance

continuance of the ſtatute of 35. El. 4. 39. El. 21. ſhall ſtand in force, & ſhall yearely from & after the ſaid feaſt of Eaſter next, be ſatiſfied & paied, out of ſuch taxations & forfeitures, as ſhalbe made, collected, & leuied by force of this Act, ſo long as the ſaid pention ſhall remaine in force, without ſuch reuocation, or diminiſhing, as is before in this Act mentioned: Which clauſe of reuocation, or diminiſhing, before mentioned, ſhall extend as well to pentions heretofore aſſigned, as to ſuch as at any time hereafter, before or after the ſaid Feaſt of Eaſter, ſhal be aſſigned to any perſon or perſons. 43. Eliz. 3. Prouiſions aſſigned to ſtand in force, though the Statute be repealed.

28 All arrerages of Taxations heretofore made, by vertue of the ſaid former ſtatutes, or any of them, which ſhall be or remaine at the ſaid Feaſt of Eaſter next, vncollected, & not receiued, or leuied, ſhall & may by authority of this Act, be had, receiued, & leuied by ſuch perſons, & in ſuch manner & forme, as in euery reſpect Taxations made by vertue of this Act, are appointed to be collected, receiued, and leuied, and ſhall bee employed vnto the vſes expreſſed in this Act, and no otherwiſe. 43. Eliz. 3. Taxations made, and not leuied.

29 If the ſaid rate ſhalbe thought not to be ſufficient for the releife of ſuch ſouldiers and mariners, as ſhalbe to be relieued within the City of London, thē it ſhall be lawfull for the Mayor, Recorder, & Aldermen of London, or the more part of thē, to rate & tare ſuch reaſonable tare, ſumme, & ſummes of money for the ſaid releife, as ſhalbe to them thought fit and conuenient: So as ſuch ſumme and ſummes of money, ſo to be rated, do not exceed iij. s. weekely out of any pariſh: and ſo as in the totall, the ſumme ſhall not exceed, or be vnder xij. s. weekely out of euery pariſh, one with another, within the ſaid City & the Liberties thereof. 43. El. 3. 1. Iac. 25. To continue vntill the end of the firſt Seſſion of the next Parliament. If the rate be not ſufficient for the ſouldiers in London

Caſtles.

NO Conſtable ſhall diſtraine any man to giue any money for the keeping of a Caſtle, if he will doe it himſelfe, or procure any ſufficient man for him. And if the King doe carry him with him, or ſend him vnto his warres, he ſhall bee free from Caſtle-ward, during the time that he is in the K. hoaſt, for that fee for ỹ which he did Knights ſeruice in the armie. Magna Charta, 9. H. 3. 20. S. Douer Caſtle. 32. H. 8. 48. Caſtle-ward.

1 What Purueyance, and in what manner ſhall be made to victuall a Caſtle. S. Purueyors 6.

Cards for Wooll.

NO perſon or perſons whatſoeuer ſhall bring, ſend, or conuey, or cauſe to bee brought, ſent, or conueyed into this Realme of England, or Wales, from the parts beyond the Seas, any Cards for Woll to bee ſold, bartered, or exchanged within the Realme of England, or Wales, vpon paine to forfeit all ſuch Cards for Woll, ſo to be brought, ſent, or conueyed, contrarie to the true meaning of this Act, in whoſe hands ſoeuer they or any of them ſhall be found, or the value thereof to the Queene, & him or them that will ſeiſe the ſame, or ſue therfore in any of the M. Courts of Record, by A. B. P. J. or otherwiſe, wherein no W. E. P. &c. 39. El. 14. 1. Iac. 25. to endure vnto the end of the firſt Seſſion of the nert parliament. No Cards for Woll ſhall be brought into this Realme.

Cattell.

IF any perſon do buy any Oxen, Konts, Steeres, Kine, Heifers, Calues, Sheepe, Lambes, Goats, or Kids liuing, and ſell the ſame againe aliue (except he keepe & feed Buying of cattel, & ſelling within fiue weekes.

ſéd the ſame by the ſpace of fiue wéekes in his owne houſe, ground, farme, or in ſuch ground where he hath the herbage or common of paſture by grant or preſcription) he ſhal forfeit the double value of the Cattell, or things ſo bought & ſold again, to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6, 14. 13. El. 25.

No cattel ſhal be bought but in the Faire or Market.

2 If any perſon do buy, or commune and conclude to buy any Oxen, Stéeres, Ronts, Kine, Heifers, or Calues, but onely in the open Fayrs or Market, where the ſame ſhall happen to be brought, and put to ſale, (except it be for the prouiſion of his houſhold, téeme, or dairie, or except it be a Butcher which ſhal not ſel the ſame againe aliue) or ſhall ſell the ſame againe aliue, at, or in the Market or Fayre where he bought the ſame, during the time of the ſaid Faire or Market, he ſhal forf. the double value of the cattell &c. ſo bought or ſold, to the K. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 3. Ed. 6. 19. 1. Iac. 25. to continue vntill the end of the firſt Seſſion of the next Parliament.

A Cow ſhall be kept for 60. ſhéepe, and a calfe for 120.

3 If any perſon which ſhall kéepe or ſéede aboue the number of fiue ſcore ſhare Shéepe, for the moſt part of the yeare vpon his Paſtures, Lands, Fédings, or Farmes, which be continually ſeuerall and mét for Milch Kine, (and wherein no other perſon 21. Octobr. Anno Dom. 1555. had common for cattell any time of the yeare) do not kéepe for euery lx. ſhare Shéepe, one milch Cow, and for euery vj. ſcore ſhare Shéepe reare vp yearely one Calfe, ſo long as hée ſhall kéepe or ſéed the ſaid number of vj. ſcore ſhare Shéepe, he ſhal forfeit for euery Cow not kept for euery monty xx. s. & for euery Calfe not reared xx. s. to the Qu. & I. to be recouered within one yeare after the offence &c. by A. I. &c. wherein no W. &c. E. P. &c. 2. & 3. Ph. & M. 3.

A cow for ten beaſts fed, & for two kine a calfe.

4 If any perſon which doth kéepe or féed vpon his ſeuerall Paſtures aboue the number of xx. Oxen, Ronts, Stéeres, Scrubs, Heyfors, or Kine, doth not for euery x. beaſts kéepe one Milch Cow, & for euery v. Kine, weane and reare vp yearely one Calfe (except it chance to die) he ſhall forf. vt ſupra. Prouided, that no perſon ſhall be cõpelled to kéepe any kine, or reare any calues for ſuch ſhéepe or other beaſts, which he kéepeth & féedeth onely to be ſpent in his houſe. 2. & 3. Ph. & M. 3. 13. Eliz. 25. S. Iuſtices of Peace 38.

Certificat of Conuicts.

Certificat into the K. Bench of euery Outlary, attainder, & conuiction.

IF any Clerke of the Crowne, Clerke of the Peace, or Clerke of Aſſiſe, where any attainder, conuiction, or outlarie of Felony ſhal be before the Iuſtices of Peace, Gaole Deliuerie, or Oyer and Determiner, do not certifie a briefe Tranſcript, containing the tenor & effect of euery Indictment, Outlary, Conuiction, clerke attaint, that is to ſay, the name, ſurname, and addition of euery perſon ſo indicted, & thereupon outlawed, conuicted, or clerke attaint, & the certainetie of his Felony, or other offence, and the day and place when and where it was done, the day and place of his Outlarie, Conuiction, and Attainder into the Kings Bench, within xl. dayes nert after ſuch Attainder, Conuiction, or Outlarie (if the Terme thē be open) and if not, within xx. dayes nert after the beginning of the Terme nert following the ſaid xx. dayes: The ſaid Clerke before whom ſuch Attainder, Outlarie, or Conuiction &c. ſhall be made, ſhall forfeit for euery ſuch default of not certifying of euery ſuch Record, forty ſhillings to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. And the Clerke of the Crowne in the Kings Bench ſhall receiue the ſame Certificats and Tranſcripts, whenſoeuer they ſhalbe tendered vnto him by any of the aforeſaid Clerkes of the Crowne, of the Peace, or of Aſſiſe, or their Deputies, vpon paine of forfeiture of xl. s. for euery certificat by him refuſed. 34. H. 8. 14.

The Clerke of the Crown ſhall receiue the certificats.

2 But if there be moze perſons named in any ſuch Indictment, other then ſuch perſon attainted, conuicted, oz outlawed, thē the ſaid Clerks ſhall certifie the Tranſcript of ſuch indictment, outlarie, oz conuiction, only concerning ſuch perſon oz perſons ſo indicted & attainted, outlawed, oz conuicted into the K. Bench: which Tranſcript ſo certified, ſhalbe taken as effectuall in law, to all intents, againſt ſuch perſon againſt whom it ſhalbe obiected oz pleaded, as if the very recozd thereof (wherupon he was indicted) were pzeſent. 34.H.8.14.

The names of thoſe only which be attainted, conuicted &c. ſhalbe certified.

3 If the Clerke of the Crowne in the K. bench foz the time being do not incontinently & without delay certifie to the Juſt. of gaole deliuery, and Juſt. of peace of euery county of this Realme (which ſhal write vnto him foz ths ſame) the names & ſurnames of ſuch perſons which be ſo attainted by outlarie, clerkes attainted, oz cōuicted, & certified into the K. Bench, and the cauſes why & wherefoze they were attainted oz cōuicted, he ſhall fozfeit foz euery name ſo written foz, & not certified by him to the ſaid Juſtices, vl.s. 34.H.8.14.

Clerke of the Crowne ſhall certifie the name of conuicts to the Juſtices.

4 This Act ſhal not extend to the Clerke of the Crowne, Clerkes of the Peace, Clerks of gaole deliuery, neither to any of the Pzenotaries within the counties of Wales & Cheſter, oz within the counties Palantines of Lancaſter & Durham, oz any of them, to make any Tranſcript of any ſuch attainder, conuiction, oz outlarie of any perſon conuicted, attainted, oz outlawed befoze ỳ K. Juſtices of his counties of Wales oz Cheſter, oz county of Lancaſter, Durham, oz any of thē, but the ſame Recozds ſhall & may remaine in the cuſtody of the ſaid Clerks and Pzenotaries, in ſuch manner as they are. 34.H.8.14.

No certificat out of wales, Cheſter, Lancaſter, Durhā.

Ceſſauit.

IF a man do let his lands to farme, oz to find eſſouers in victual oz clothing, which amounteth to the iiy. part of the very value of the land, & he that holdeth the land ſo charged, letteth the ſame lye freſh, ſo that a man can find no diſtreſſe by the ſpace of y. oz iy. yeres, to compel the Farmoz to do oz yæld that which is contained in the writing, after the y. yeres paſt the leſſoz ſhal haue an action out of the Chauncery to demand the land in demeſne. And if he againſt whom the land is demaunded, come befoze iudgement, & render the arrerages & damages, & find ſuch ſurety as the court ſhal thinke ſufficient, to pay frō thencefozth that which is contained in the writing of leaſe, he ſhal retaine the land: & if he tarry vntill it be recouered by iudgement, he ſhalbe barred foz euer after. Glo.6.E.1.4.

Ceſſauit againſt tenant by fee farme.

2 In like ſoꝛt, if a man doe detaine from his lozd his due & accuſtomed ſeruice by the ſpace of y. yeares, the lozd ſhall haue an action to demaund the land in demeſne. And in both theſe caſes, the heire of the demandant ſhal haue a writ of entry againſt the heire of the tenant, & againſt them to whom the land ſhalbe aliened. Weſt.2.13. E.1.21. There ſee the forme of the Writ of Ceſſauit.

Ceſſauit by the Lozd againſt his tenant.

3 If lands giuen foz the fæding of poꝛe people, oz other almes to be maintained oz done, be aliened by thoſe to whom they are giuen, if they were giuen by the king, oz any of his pzogenitoꝛs, the lands ſhalbe taken into the K. hands, & retained at his pleaſure, & the buier ſhal loſe his recouery as well of the lāds as of the mony which he paied. And if they were giuen by an Earle, Baron, oz other perſon, he by whom, oz by whoſe anceſtoz the land ſo aliened was giuen, ſhal haue a writ of contra formā collationis, to recouer the land in demeſne. But if the land ſo giuen foz ſuſtenance of poꝛe people, oz other alms to be maintained oz done, be not aliened, but ſuch alms is withdzawne by the ſpace of y. yeares, an action ſhall lie foz the donoz oz his heire, to demaund the land ſo giuen in demeſne, as it is oꝛdained in the ſtatute of Glouceſt. foz lands leaſed, to render the fourth part of the value, oz moze. Weſtm.2. 13.Ed.1.41.

Lāds aliened which were giuen in alms.

Contra formā collationis.

The Almes withdzawne.

Challenge.

Challenge in a Bill of Attaint ſued in London.

NOne of the petite Jurie, nor other parties, named in any Bill of Attaint, ſued in the Huſtings of London, (holden for common pleas before the Mayor and the Aldermen) vpon any vntrue verdict giuen in any of the Courts of the ſaid Citie, ſhall or may haue any Challenge to the array, or to any perſon or Poll therein being impanelled, for lacke of ſufficient goods or lands. 11.H.7.21. S. Attaint 14.

Challenge in a writ of Attaint ſued in London.

2 Euery perſon being a citizen of the city of London, & in value of goods & cattels to the ſumme of 400. marks, may be impanelled & returned by the Sheriffes of ỳ ſaid city, in euery Attaint brought by writ by vertue of the ſtat. of 23.H.8. vpon verdict giuen by the citizens of the ſaid city, without any Challenge for the inſufficiencie of freehold of any of them, to be made by any of the parties in ſuch Attaint. 37.H.8,5. S. Attaint 14.

Challenge in Londō, where the thing in demaund is worth fortie markes.

3 It is a principall Challenge in any of the Courts within the city of London, in any ſuit where the lands or tenements, or action perſonall, wherein the debts or damages amounteth to xl. marks, or aboue, that ỳ party impanelled in the Enqueſt hath not lands, tenemēts, goods, or cattels, to the value of 100. marks, if it be alleaged by any of the parties, and ſo found. And no perſon ſhall be impanelled, ſummoned, or ſworne in any Jury or Enqueſt, in Courts within the ſame city, except he be of lands, tenements, or goods and cattels, to the value of xl. markes. 11.H.7.21. S. Iurors 16.

Riens diens le gard.

4 The Challenge commonly called (Reins deins le gard) within the city of London, ſhalbe no Challenge, but vtterly void. 7.H.7.5.

Challenge for the King.

5 If a man challenge a Jury, or a Juror for the K. he ſhal ſhew cauſe of his challenge forthwith, which cauſe ſhall immediatly be tried by the Juſtices diſcretion, whether it be true or not. 33.Ed,1.

Challenge of the Inditor.

6 No inditor ſhalbe put in the enqueſt vpon the deliuerance of the party indicted of treſpas or felony, if he which is indited doth challenge him for that cauſe. 25.E.3. 3. S. Iurors 3.

Challenge where ỳ thing in demaund is worth fortie markes.

7 It is a good Challenge for the party, where an enqueſt is taken vpon the death of a man, or betwixt party and party in any plea reall or perſonall, where the debt or damage doth amount to xl. markes, to ſay that any impanelled, hath not lands or tenements to the value of xl. s. aboue all charges. 2.H.5.3. But this Statute is to be intended onely of Enqueſts to be had betwixt Denizen and Denizen, and not where triall is to be made per medietatem linguæ, where an Alien is one party, according to the Statute of 28.E.3.13. 8.H.6.29. And euery perſon being the K. natural ſubiect borne, which by any name doth enioy the liberties of any City, Borough, or Towne corporat, where he dwelleth and maketh his abode, being worth in moueable goods to the cleere value of xl. ℔. ſhal be admitted in triall of murders and felonies in euery Seſſions and Gaole deliuery holden for the liberties of euery ſuch City, Borough, or Towne corporat, albeit he hath no freehold. 23.H.8.13. S. Iurors 15.

Inhabitant of towns corporat.

Challenge by one arraigned by a ſpeciall Commiſſion.

8 If a Commiſſion of Oyer & determiner be directed into any Countie, for the triall of any perſon which doth confeſſe any murder, to the end of the K. Counſell, or is vehemently ſuſpected therof, no Challenge for the ſhire or hundred ſhall be allowed vnto him. But the Challenge of any Juror for lack of freehold of the yerely value of xl. s. ſhalbe allowed. 33.H.8.23. Neither ſhall he haue any Challenge to the Hundred, which is arraigned for any offence cōmitted vpon the ſea, or in any other place where the Admirall hath iuriſdiction, before Commiſſioners thereunto authorized by the K. Commiſſion vnder the great ſeale. 23.H.8,15.

Challenge vpon an arraignement of Piracie.

9 He

9 He that is arraigned of Treaſon, Murder, or Manſlaughter, committed within the verge, ſhall haue no manner of Challenge to any of the Iurie (malice onely excepted) 33.H.8.12. Neither he which being the K. ſeruant ſworne, and whoſe name is in the Chequer roll of the K. houſhold, vnder the degrée of a Lord, which is arraigned for conſpiring with any other to deſtroy any Lord of this realme, or any other ſworne to the K. Counſell, or the Steward, Treaſurer, or Controller of the K. houſe. 3.H.7.14. Challenge by one arraigned for offence cõmitted within the verge. Challenge by one that conſpireth any L. death.

10 Peremptorie challenge ſhall not be allowed in any caſe of high Treaſon, or miſpriſion of high Treaſon. 33.H.8.23. No Peremptorie challenge in Treaſon.

11 No perſon arraigned for any petit Treaſon, Murder, or Felonie, ſhall bee admitted to any Peremptorie challenge aboue the number of twentie. 22.H.8.14. 32.H.8.3. No peremptory challenge in murder.

12 If he which is impleaded for land by any Eccleſiaſticall perſon, doth make default, whereby iudgement ought to be giuen againſt him, if the Court doe enquire by Iurie of the countrey, whether the demandant had right in the lands demanded or not, euery Lord of whom the ſame lands bee holden, ſhall be allowed to challenge the Iurors of the ſame inquiſition, and ſo ſhal any man for the King that will. Weſt. 2.13. Ed. 1.33. S. Mortmaine 5. Challẽge vpõ an inquiſition of Colluſion.

1 Where, vpon the triall of an iſſue in a perſonall action, no Challenge for the hundred ſhall be allowed. S. Iurors 19.

Cheſter, Cheſhire.

THe Law and adminiſtration of Juſtice, and all other things in the countie of Cheſter in times paſt vſed to bee had at the Shire daies, ſhall be holden, had, made, done, and executed by the Juſticer of the ſaid countie for the time beeing, at two times in the yeare onely, that is to ſay, at the Seſſions next after the feaſt of Saint Michael, and at the Seſſions next after Eaſter, during ſo many daies at euery of the ſaid times as neede ſhall require, in like manner and forme, as it is vſed and executed in the countie Palatine of Lancaſter, 32.H.8.43. And ẏ ſaid two ſeſſions ſhall & may be holden at ſuch time and times, as by the ſaid J. or his deputie ſhall be appointed, as well before the ſaid feaſts of Eaſter and Michaelmas, as any other time, according as is commonly vſed in other Shires of this Realme, ſo alwaies open Proclamation be thereof made, by the ſpace of xv. daies at the leaſt before the firſt day of the keeping of the ſame Seſſions. 33.H.8.13. Seſſiõs kept in Cheſter two times in the yeare.

2 The Countie Palatine of Cheſter ſhall haue two knights for the ſaid countie, and two citizens to be Burgeſſes for the citie of Cheſter, to be elected for euery parliament by proces awarded by the Chauncelor of England, to the Chamberlaine of Cheſter, his Lieutenant, or Deputie. And like proces to bee made by the ſaid Chamberlaine, or &c. to the Shirife of the countie of Cheſter. And the election ſhall be made, in like manner and forme to all intents as is vſed in other Shires & cities, and euery of the ſaid Knights and Burgeſſes ſo elected, ſhall be returned into the Chauncerie of England, by the Shirife in due forme, vpon like paine as other Shiriſes of other Shires, &c. And euery of the ſaid Knights and Burgeſſes ſhall haue like voice, authoritie, liberties, priuiledges, wages, fées, and commodities, as other Knights and Burgeſſes of the ſame Court of Parliament enioy, vſe, and haue. 34.H.8.13. Two knights and two burgeſſes for the Parliament in Cheſter.

3 If any perſon of the countie of Cheſter, reſiant in the ſame countie, doe commit any murder or felonie in any place out of the ſame countie, proces ſhall bee awarded againſt him by the common Law vnto the Exigent, in the countie where the offence was committed: And if he flie from thence into the countie of Cheſter, and be outlawed for the ſaid murder, or felonie, the ſame Outlawrie or Exigent ſhalbe An inhabitãt of the County of Cheſter committeth felony or murder in another Countie.

shalbe certified vnto the Officers of the county of Chester, & the felon shall be taken by the same Officers, & his lands, tenements, goods, & cattels, within ỳ same county of Chester, shalbe seised as forf. to the K. or him which shalbe Lord of the said county of Chester for the time: & the K. shall haue the yere, day, & wast, and the other lands, goods, &c. of such felon, being out of the said county, shalbe forf. to the K. & other lords which haue franchises. And in the same maner it is of any person of the said county, resiant or dwelling in the same county, which cõmitteth battery, or other trespas in another county, & then flieth into the county of Chester, his goods shal be forfeit, &c. and if he be outlawed, the outlarie shalbe certified to the same officers of Chester, & his person shalbe taken, & his goods & cattels shall be forfeit &c. vt supra. 1.H.4.18. 9.H.5.2.

Protection. 1 No protection shall be graunted to any person within the County of Chester, without the K. warrant. S. Protection 5.

Proclamations. 2 For Proclamations vpon exigents to be awarded against any person dwelling in the county of Chester, or the city of Chester. S. Exigents 6.

Deputies. 3 Euery sherife of the county, and of the city of Chester, shal haue a deputy in the K. Bench, and common place. S. Exigents 7.

Fines. 4 Fines may be leuied before the high Iustice of Chester &c. of lands within the countie of Chester. S. Fines 13.

Tales. 5 A Tales de circumstantibus is grauntable in the county of Chester, where a full Iury doth not appeare. S. Iurors 23.25.

Sewers. 6 In what sort, and by whom the Commission of Sewers shall be directed within the fees of the county of Chester. S. Sewers 18.19.

Statutes. 7 For statutes to be acknowledged before the Maior of Chester. S. Statutes 1.

Offices. 8 How Offices found in the countie of Chester, shall be receiued and certified in the Court of Wards. S. Offices 7.

Coroners. 9 Two Coroners shalbe for Cheshire, and their authority. S. Coroners 20.

Inrolments. 10 For inrolments of bargaines and sales of lands in the county of Chester. S. Inrolments 4.5.

11 Where the sherifes county court of Cheshire shalbe kept. S. Countie 2.

12 For inrolling of fines and recoueries in the county of Chester. S. Fines 29. &c.

Cheirographer, and Custos Breuium.

The Cheirographers fee, vpon euery fine. THe Cheirographer of the common place, his farmor, deputy, or lieutenant, shal not take any more then 4.s. for any fine leuied in the same court. And if the farmor, deputy, or lieutenant, do take any more, he shall forf. his office, be excluded the same court, suffer one yeres imprisonment, & pay to the party grieued his treble damages, & the party grieued shal haue his suit before the I. of ỳ same court. 2.H.4.8. West.2.13.Ed.1.44.

Inrolling of writs in the common place whereupon fines be leuied 2 All writs of Couenant, and all writs whereupon fines shall be leuied, with the Writs of Dedimus potestatem (if any be) with all knowledges, and notes of the same, before that they be drawne out of the Common Place by the Cheirographer, shall be inrolled in a Roll to be of Record for euer, to remaine in the safe custodie of the chiefe Clerke of the Common Place, and of his successors, for the old fee of xvj.d. accustomed to be paid to the chiefe Clerke, for the entring of the Record of euery fine, without paying any more, to the intent, that if the notes in the custodie of the Cheirographer, or the fines be imbeasiled, a man may haue recourse to the said Roll, to haue execution, as he should haue, if the fines were not imbeasiled. 5.H.4.14.

1 The Cheirographer shall make a Table containing the content of euery fine, and what he shall haue for the same. S. Fines 25.

Citati-

Citation.

IF any perſon be cited, ſummoned, or otherwiſe called to appeare, by himſelfe, or his procurator, before any Ordinarie, Archdeacon, Commiſſarie, Officiall, or other Iudge ſpirituall, by vertue of his Office, or at the ſuit of any perſon, out of the Dioces or peculiar Iuriſdiction, where the partie cited, ſummoned, or called, dwelled at the time of the ſame Citation awarded, the ſaid Ordinarie, Archdeacon &c. ſhall forfeit to the partie ſo cited double dammages and coſts for veration, to be recouered by action of debt, or action vpon the caſe, by A. B. P. &c. and alſo ſhall forfeit x. l. to the K. & I. to be recouered by A. I. &c. wherin no W. &c. E. P. &c. (except it be for any ſpirituall offence, or cauſe committed, done, forſlowed, neglected or committed by any Biſhop, Archdeacon, or other perſon hauing ſpirituall iuriſdiction, or being a ſpirituall Iudge, or by any other perſon within the Dioces, or Iuriſdiction, whereunto he ſhall be cited, or otherwiſe lawfully called to appeare and aunſwere: Or except it be by or vpon matter or cauſe of Appeal, or for other lawfull cauſe, wherein any party ſhal find himſelfe grieued or wronged by the Ordinary, Iudge, or Iudges of the Dioces or iuriſdiction, or by any of his Subſtitutes, or Miniſters, after the matter or cauſe there firſt commenced & begun, to be ſhewed to the Archbiſhop, or Biſhop, or any other hauing peculiar iuriſdiction, within whoſe Prouince the Dioces, or place peculiar is: Or in caſe that the Iudge dare not conuent the partie to be ſued before him: Or that the Biſhop of the Dioces, or the Iudge of the place, within whoſe Iuriſdiction, or before whom the ſuit by this Act ſhould be commenced & proſecuted be partie, directly or indirectly to the matter or cauſe of the ſame ſuit: Or that any Biſhop, or any inferior Iudge, hauing vnder him Iuriſdiction in his owne right and title, or by Commiſſion, do make requeſt or inſtance to the Archbiſhop, or other ſuperiour Ordinarie or Iudge, to take, treat, examine, or determine the matter before him or his Subſtitute, & that to be done in caſes only where the Ciuill or Canon Law doth affirme execution of ſuch requeſt or inſtance of Iuriſdiction, to be lawful or tollerable: Or except it be for Teſtaments to be proued before the Archbiſhop of Canterburie, by reaſon of his prerogatiue, or for Teſtaments to be proued before the Archbiſhop of Yorke within his Iuriſdiction, by reaſon of any prerogatiue) 23. H. 8. 9. 1. Eliz. 1.

No perſon ſhall be cited to appeare out of the Dioces where he dwelleth.

Exception.

2 It is lawfull for any Archbiſhop of this Realme to cite, call, & ſummon any perſon dwelling in any Biſhops dioces within his Prouince, for cauſes of Hereſie, if the Biſhop or other Ordinarie immeditate thereunto conſent, or do not his duty in the puniſhment of the ſame. 23. H. 8. 9. 1. Eliz. 1.

Archbiſhops may cite for Hereſie.

3 If the Archbiſhop, Biſhop, Ordinarie, Official, Commiſſaris, or other perſon hauing Spirituall Iuriſdiction, or any Subſtitute or Miniſter of his doe aſke, demand, take, or receiue more then iij. d. for the ſeale of any Citation, he ſhall pay to the party of whom &c. double dammages & coſts, and ſhall forfeit for euerie offence x. l. to the K. and I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 23. H. 8. 9. 1. Eliz. 1.

Fees for the ſeale of a Citation.

Clapboord, Caske, &c.

ALL and euery perſon and perſons, which ſhall ſhip, carrie, or tranſport, any Beere into the parts beyond the Seas, to be ſold or exchanged for other marchandiſe, ſhall (if he be a Stranger) then before the ſame tranſporting, (if he be a ſubiect borne) then either before the ſame tranſporting, or within foure moneths after, bring, or cauſe to be brought into this Realme, from the parts of beyond the Seas, for euerie ſixe Tunnes of Beere, two hundred of Clapboord, fit for to make

For Beere tranſported, Clapboord or Caske ſhall be brought in.

Caske of, to containe in length three foot and two ynches at the least: Or else the same Caske againe, or so much other good and swéet caske in quantitie, & the same to be entred at the Custome house without any colouring: Or if the same transporting shall be into the Realme of Ireland, then to bring in maner and forme as aforesaid, so much of Shaffold bord in quantitie as the Clapbord amounteth vnto. 35. Eliz. 11.

Clapbord shalbe brought in for Fish transported.

2 No Stranger borne shall ship, carrie, or transport beyond the Seas any Pilchers, or other Fish in caske, vnlesse the same person haue before such shipping brought, or caused to be brought into this realme from the parts beyond the Seas, for euery fiue Tunnes of Pilchers, or other Fish, according to the rate and maner aforesaid, of Clapbord fit for Caske, or else of Caske as aforesaid, vpon paine of forfeiture of the said Béere, Pilchers, and Caske, that shall be shipped or laden to be transported into the parts of beyond the Seas. 35. Eliz. 11.

Transporting of wine caske.

3 It shall not be lawfull for any person or persons, to transport, or carrie any wine Caske out of this Realme, with any Béere or Béereager, nor any wine caske shaken, and sell the same Béere or Béereager, or Caske, Except for the victualing of any ship or portable vessell, or of any of her Maiesties garisons and forces in the parts beyond the Seas, vpon paine of forfeiture of the summe of xl. s. for euery Tunne of Caske so carried or transported. Prouided alwayes that this Act, or any thing therein contained, shall not extend to the transportation of any Herrings whatsoeuer in Caskes. 35. Eliz. 11. 1. Iac. 25. This Act to continue to the end of the first Session of the next Parliament.

Herrings.

Clergie.

Cutpurse.

NO person shall haue the priuiledge of his Clergie, which shall be indicted or appealed for felonious taking of any money, goods, or cattels, from the person of any other, priuily without his knowledge in any place whatsoeuer, and thereupon found guiltie by verdict of xij. men, or shall confesse the same vpon his arraignement, or will not aunswere directly to the same, according to the Lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or challenge peremptorie aboue the number of twentie, or shall be vpon such Indictment or Appeal outlawed. 8. Eliz. 4.

2 Nor he which shall stab any person which hath not a weapon drawne, or hath not first striken, So as the partie die thereof within vj. Monethes. 1. Iac. 8. S. Murder 7.

Refusing to abiure, not going, or returning.

3 Nor he which by the Statute prouided Añ 35. Eliz. 1. to retaine the M. Subiects in due obedience) or by the Statute made (Añ 35. Eliz. 2. for the restraint of Popish Recusants to some certaine places of abode) is to be abiured, which shall refuse to make such abiuration, as by the said Statutes is appointed: Or after abiuration, shall not go to such Hauen, and within such time as is appointed, and from thence depart forth of the Realme, according to the said Statute: Or after his departure, shal returne and come againe into any of the Quéenes Dominions without licence. 35. Eliz. 1. 35. Eliz. 2. S. Recusants 19. 33.

Coniuration. Witchcraft.

4 Nor he which doth practise Inuocation or Coniuration of wicked spirits for any intent, or Witchcraft, Enchantment, Charme, or Sorcerie, whereby any person shall be killed, or destroyed: Or whereby any person shall be consumed, or lamed in his bodie or member, or whereby any goods of any person shall be wasted, or impaired, being once conuicted of the said offence before. 1. Iac. 12. S. Coniuration 1. 2. 3.

Buggerie.

5 Nor he which doth commit Buggerie with mankind or beast, and is thereof conuicted by verdict, confession, or outlawrie. 25. H. 8. 6. 5. Eliz. 17.

6 Nor

6 Nor he which doth maliciously commaund, hire, or counsell any person to commit petit treason, or wilfull murder, or to do any Robbery in any dwelling house, or in, or neere any high way, or within the Marches of England against Scotland, or wilfully to burne any dwelling house, or any part therof, or any barne then hauing corne therein, and is therof outlawed, or otherwise attainted, or conuicted, or being arraigned doth stand mute of malice, or doth challenge peremptorie aboue twenty, or will not aunswere directly to such offence. 4. & 5. P. & M. 4. Commaundement of Felonies.

7 Nor he which is indicted, arraigned, and attainted, or refuseth lawfull triall in a County where he was taken with the maner, and whereunto the goods stollen in a forreine County were conueied, if so be that he might not haue had his Clergie in the other County where the goods were stollen. 25. H. 8. 3. 5. Ed. 6. 10. Attainted where the goods were carried.

8 Nor he which being once conuicted, or condemned of any of the offences prohibited by the statute prouided 5. Eliz. against the forging of Euidences & writings, by any of the waies in the same statute limitted, shall after any his such condemnation, eftsoones commit any of the said offences in forme in the said statute expressed. 5. Eliz. 14. S. Forger &c. 4. Forger of deeds.

9 Nor any Souldier seruing the King in his warres, in any of his Dominions, or on the Sea, or beyond the Sea, or in Scotland, or in any Garrison, which departeth without licence of the Lieutenant, High Admirall, Viceadmirall, Wardein, or Captaine, and in their absence, of their Lieutenants. 2. Edw. 6. 2. S. Captaine 3. Souldier.

10 Nor he which is attainted by confession, verdict, or outlawrie, for any felonious rape, rauishment, or burglarie, or for vnlawfull and carnall knowledge, and abuse of any woman child vnder the age of ten yeares. 18. Eliz. 6. Rape. Burglarie.

11 Nor any person of the age of fourténe yeares or aboue, calling himselfe an Egyptian, or being in companie with them, or counterfeiting, or disguising himselfe by his apparell, speach, or other behauiour like vnto the vagabonds calling themselues Egyptians, and so doth continue, at one or seuerall times by the space of a moneth. 1. & 2. P. & M. 4. 5. Eliz. 20. S. Ægyptians 2. Egyptian.

12 Nor he which doth take away a maid, widow, or wife, against her will, hauing lands &c. 39. Eliz. 9. S. Women 12. 13.

13 Nor he which doth commit any wilfull murder, or wilful poisoning of malice prepenced: Nor which doth robbe any person, in or neere vnto the high way: Nor which doth steale any horses, geldings, or mares, (or any horse, gelding, or mare. 3. Ed. 6. 33.) Nor he which is accessarie to such felonie, before such felonie done or after. 31. Eliz. 12. Nor which doth feloniously take goods out of any Church or chappell: Nor which doth breake any house by day or by night, any person being in the same, & thereby put in feare, or doth robbe any person in any part of his dwelling house, or dwelling place, the owner or dweller in the same house, his wife, his children, or seruants, being then within the same house or place where the robbery was done, or in any other place within the precinct of the same house, or dwelling place, and then being waking or sléeping: Nor which doth robbe any person being in a tent or both in a faire or market, the owner, his wife, children, or any seruant then being within the same both or tent, whether they then & there being, shall be sléeping or waking, & is of any of the said offences in due forme of law attainted or conuicted, or being indicted or appealed of any of the same offences, and thereupon found guiltie by verdict, or shall confesse the same vpon his arraignement, or will not aunswere directly according to the Lawes of this Realme, or shall stand wilfully, or of malice mute. 23. H. 8. 1. 32. H. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 9. S. Faires &c. 8. wilfull murder. Poisoning. Robbing in the high ways Stealing of horses. Robbing of Churches. Robbing of houses. Robbing of both es.

If any person or persons shall be found guilty, & conuicted by verdict, confession, or otherwise, according to the Lawes of this Realme, for the felonious taking away in the day time, of any money, goods, or cattell, being of the value of fiue shillings, Robbing of a house in the day time, wherein there is no person.

or vpwards, in any dwelling house, or houses, or any part thereof, or any outhouse, or outhouses, belonging, and vsed to and with any dwelling house or houses, although no person shall bee in the said house or out houses, at the time of such felonie committed: then such person & persons shall not be admitted to the benefit of his or their Clergie, but shalbe vtterly excluded thereof. 39. Eliz. 15.

Receiuing or relieuing any Iesuite or Priest.

14 Nor he which doth wittingly and willingly receiue, relieue, comfort, ayde, or maintaine any Iesuite, Seminarie Priest, or other Priest, Deacon, or Religious, or Ecclesiasticall person whatsoeuer, being borne within this Realme, or any other the Quænes highnesse Dominions, and heretofore (since the feast of Saint Iohn the Baptist Añ primo Eliz.) ordained, made, or professed, or hereafter to be made, ordained, or professed, by any authoritie, or iurisdiction, derined, challenged, or pretended from the Sea of Rome, being at liberty, or out of hold, knowing him to be a Iesuite, Seminary Priest, or such other Priest, Deacon, or Religious or Ecclesiasticall person, as is aforesaid. 27. El. 2. S. Iesuites 3.

Clergy allowable in al other cases.

15 In all other cases of Felonie, other then such as be before mentioned, euery person which shalbe arraigned, or found guilty vpon his arraignment, or shall confesse the same, or shall stand wilfully, or of malice mute, or will not aunswere directly, shall haue & inioy the priuiledge of his Clergie, in like maner, as he should haue done before the 24. April', Añ 1. H. 8. 1. Ed. 6. 12.

Clergy allowable but once.

16 Euery person (not being within Orders) which once hath bẽ admitted to the benefit of his Clergie, being eftsones arraigned of any such offence, shall not be admitted to haue the priuiledge of his Clergie. And euery person conuict shall be marked by the Gaolor openly in the Court before the Iudge. 4. H. 7. 13. Such as be within holy Orders shalbe & stand vnder the same paines & daungers for their offẽces &c. and be vsed and ordered to al intents, as other persons not being within holy Orders shalbe. 28. H. 8. 1. 32. H. 8. 3. Attamen vide 1. Ed. 6. 12. and 1, & 2. P. & M. 8. et Quære.

A conuict person marked.

Orders of the Church.

Quære.

Bigamus allowed his Clergie.

17 Euery person that by any Statutes or Lawes of this Realme ought to haue, or be admitted to the benefit of his Clergy, shalbe admitted to his Clergy, although he hath bin sundry times married to any single woman, or single women, or to any widow, or widowes, or to two wiues, or more. 1. Ed. 6. 12.

He that is allowed his Clergie, shall aunswere to former offences.

18 Euery person which shall vpon his arraignement for any Felony be admitted to his Clergie by the Lawes of this Realme, and shall before the same admission haue committed any other offence, whereupon Clergie by the Lawes and Statutes is not allowable, and not being thereof before indicted, and acquited, conuicted, or attainted, or pardoned, shall and may be indicted, or appealed for the same, and thereupon ordered and vsed in al things according to the Lawes, in such maner as though no such admission of Clergie had bin. 8. Eliz. 4. And euery person which shall be admitted to haue the benefite of his Clergie, shall notwithstanding his admission to the same, be put to aunswere to all other Felonies whereof he shall be indicted, or appealed, and not being thereof before acquited, conuicted, attainted, or pardoned, and shall in such maner and forme be arraigned, tried, adiudged, and suffer such execution for the same, as hee should haue done if (as Clerke conuict) he had bin deliuered to the Ordinary, and there had made his purgation. 18. Eliz. 6.

A Lord of the Parliament.

19 In euery case where any of the kings subiects may vpon his prayer haue the priuiledge of Clergie, as a Clerke conuict, that may make purgation, in all those cases, and also in euerie case of Felonie wherein the priuiledge of Clergie is taken away by the Statute of 1. Ed. 6. (wilfull Murder, & poysoning of malice prepensed onely except) viz. for the breaking of any house &c. robbing any person in or neere vnto the high way, stealing of Horses, or robbing any Church or Chappell, a Lord of the Parliament, and Peere of the Realme, hauing place & voice in Parliament,

and

ſhall of common grace vpon his requeſt, alledging that he is a Lord, or Peare of the Realme, and clayming the benefite of this Statute, though he cannot read, without any burning in the hand, loſſe of inheritance, or corruption of blood, be taken, and vſed for the firſt time onely as a Clerke conuict, which may make purgation, without any further, or other priuiledge of Clergie, to any ſuch Lord, or Peare, from thenceforth at any time after, for any cauſe to be allowed. 1. Ed. 6. 12.

20 Euery perſon which ſhalbe admitted to haue the benefite of his Clergie, ſhall not thereupon be deliuered to the Ordinarie, as hath bin accuſtomed but after ſuch Clergie allowed, and burning in the hand, ſhall forthwith be enlarged, & deliuered out of priſon by the Juſtices before whom ſuch Clergie ſhall be graunted. But the ſaid Juſtices ſhal and may for the further correction of ſuch perſons to whom Clergie ſhall be allowed, deteine them in priſon for ſuch conuenient time as the ſame Juſtices ſhall thinke conuenient, ſo as the ſame do not exceed one yeares impriſonment. 18. Eliz. 6.

Clergy allowed without deliuerie to the Ordinarie.

1 In what caſes the benefit of Clergie ſhall be taken from wandring Souldiers or Mariners S. Mariners 4. 5. 6. S. 4. H. 4. 3.

Clerke of the Market.

THe Clerke of the Market of the Kings houſe, ſhall take no common fine, but euery perſon which is found in default touching the ſame office, ſhall be puniſhed according to his deſerts. The ſaid Clerke ſhall ride but with fiue horſes at the moſt, and ſhall not tarrie in any Towne, or other place, longer then the neceſſitie of his buſineſſe doth require, and if he do any thing contrarie to this ſtatute, and is thereof duely conuicted, he ſhall pay to the king at the firſt time C. ſ. at the ſecond time x. pounds, and at the third time xx. pounds. 13. R. 2. 4.

Clerke &c. ſhal take no common fine.

The Clerke ſhall haue his weights with him.

The Clerke of the Market ſhall haue all his weights and meaſures ſigned according to the Standard of the Exchequer with him, when he goeth to aſſay weights and meaſures. And he nor none other ſhall vſe any other weight or meaſure. 16. R. 2. 3.

2 In all places whereſoeuer the king in his owne royall perſon ſhall come to reſt, tarrie, abide, or make his repoſe within any his Dominions, within liberties, or without, there and within the verge limitted or accuſtomed to his Court, during the time of his abode, his Graces Clerke of the Market, and none other during the ſame time, aſwell within liberties as without ſhall exerciſe the office of a Clerke of the Market: any priuiledge, graunt, allowance, or other thing to the contracy notwithſtanding: But this ſhall not be preiudiciall to the citie of London: But the ſaid Citie may vſe ſuch liberties as they might before &c. 27. H. 8. 24. 32. H. 8. 20.

Clerke &c. of the K. houſe ſhall vſe the office within the verge.

Clerke of Aſsiſe.

NO Clerke of Aſsiſe during the onely time of the Seſſion, of or for any Aſſiſes, or Niſi prius, ſhall be of counſell with any perſon within any circuit, whereof he ſhall be Clerke of Aſsiſe, otherwiſe then to that office onely appertaineth, vpon paine to forfait for euery time offending to the contrarie x. pounds to the king and P. grieued, to be recouered by A. I. &c. wherein no W. E. P. &c. 33. H. 8. 24.

1 The Clerke of Aſsiſe may execute his office in the Countie where he was borne, or doth dwell: S. Iuſtices of Aſsiſe 5.

Clerkes of the Signet, and Priuie Seale.

ALL and euerie gift, graunt, and other writing, which ſhall be made, or giuen in writing by the King, or any his poſteritie, to any perſon or perſons ſigned with his ſigne, or the ſigne or ſignes Manuell of any of them, to be paſſed vnder any of his great Seales of England, Ireland, Duchie of Lancaſter, or of any of his Counties Palantine, or Principalitie of Wales, or by other Proces out of the Exchequer: And all and euery gifts, graunts, and other writings, of what name or names, qualitie or qualities ſoeuer the ſame be, or hereafter ſhall be named, deemed, or called, which the Maſter of the kings Wardes for the time being, or any other officers that now be, or hereafter ſhall be made, ſhall by vertue of any Act of Parliament, or any of the kings graunts to them, or any of them made, or hereafter to be made in that behalfe, giue, graunt, or make to any perſon or perſons in the kings name, to be paſſed vnder any his Maieſties Seales, be in any wiſe firſt & before the ſame graunts, or any of them be paſſed vnder the kings ſaid Seales, or other Proces made of the ſame, brought and deliuered to the kings principall Secretarie, or to one of the kings Clerkes of his Signet, for the time being, to be at the ſaid office of the Signet paſſed accordingly. 27. H. 8. 11.

The kings grants ſhall be brought to the Clerkes of the Signet.

2 One of the Clerkes of the ſaid Signet to whom any the ſaid writings ſigned with the kings hand, or the hand of any other aforeſaid, or any of them, ſhal fortune to be declared, may & ſhall by vertue of the ſame bills, & euery of them, within the ſpace of viij. daies nert after he ſhal haue receiued the ſame, (vnleſſe he haue knowledge by the ſaid Secretarie, or otherwiſe of the kings pleaſure to the contrarie) make, or cauſe to be made in the kings name, Letters of warrant, ſubſcribed with the hand of the ſame Clerke, & ſealed with the kings Signet, to the Lord Keeper of the kings Priuie Seale, for further proces to be had in that behalfe. And one of the kings Clerkes of the ſaid priuie Seale vpon due examination had by the ſaid Lord Keeper of the ſaid priuie Seale, of the ſaid warrant to him addreſſed, from the office of the ſaid Signet, as is aforeſaid, may & ſhall within the ſpace of eight dayes nert after he ſhall haue receiued the ſame (vnleſſe the Lord Keeper of the priuie Seale doe giue them commaundement to the contrary) make, or cauſe to be made by warrant of the foreſaid warrant to the ſaid Lord Keeper of the priuie Seale addreſſed from the office of the Signet aforeſaid, other letters of like warrãt, ſubſcribed with the name of the ſame Clerke of the priuie Seale, to the Lord Chauncellor of England, Lord Keeper of the great Seale, Chancellor of the Duchy of Lancaſter, Chancellor of the kings land of Ireland, Treaſorer & Chamberlaines of the Exchequer, & Chamberlaines of any of his Counties Palantines, or Principalitie of Wales, or other officer, & to euery of them, for the writing, & inſealing with ſuch Seale, as remaine in their cuſtodie of letter patent or cloſed, or other proces making, due or requiſite to be had or made vpon any the ſaid graunts, according to the tenor of the warrant to them or any of them directed from the office of the Priuie Seale, as is before ſpecified. 27. H. 8. 11.

A warrant to the priuie Seale.

A warrant from the priuy Seale, to the great Seale.

3 No maner of Clerke, or Clerkes or other perſon or perſons ſhall writ, or make any maner writing, warrant, or warrants vpon any gift, or graunt made by th K. or by any other his officers, as is aforeſaid, or procure the ſame, or any of the ſame to be paſſed vnder any the Seales aforeſaid, after any ſuch ſort, maner, or faſhion, or by any other warrant or warrants then as is before ſpecified and declared, vpon paine to forfait for euery bill, warrant or writing paſſed contrarie to the order before limitted r. Pl. to the K. and J. to be recouered by A. of debt, P. or J. in any of the Kings Courts, wherin no P. E. P. or W. ſhalbe admitted: Any ſtatute, prouiſion, or dinance, &c. notwithſtanding. 27. H. 8. 11.

The penalty for altering the courſe aforeſaid.

4 Euery of the ſaid Clerkes, or other perſon, which ſhall paſſe in writing, or procure to be paſſed in writing, any graunt, or graunts, by immediate warrant, wherefore fées be paied at the great Seale, ſhall of the parties receiue for the offices of the ſaid Signet, and Priuie Seale, aſwell ſuch fées as in this Act is tared for writing any ſuch graunt, or other writing, as alſo the fées for the Seale of the ſame: Which fées, and euery part & portion thereof, the ſame Clerke or Clerkes by whom any graunt ſhall paſſe in writing by immediate warrant, ſhall vpon a Bill of the hand of one of the Clerkes of the ſaid Signet, or priuie Seale, deliuer vnto one of the ſame Clerkes of the Signet, or priuie Seale, within three Monethes next inſuing after the paſſing & ſealing of any the ſaid graunt, or graunts, by immediate warrant, vpon paine of x. li. ſterling, to be by euery ſuch of the ſaid Clerkes, or other perſons, as ſhall offend, forfaited, to be leuied in forme aforeſaid, as oft as he or they ſhall offend contrarie to the meaning of this Act. 27. H. 8. 11. *Fées for writtings which paſſe by immediat warrant.*

4 Prouided that this Act be not in any wiſe preiudiciall to the Lord Treaſorer of England for the time being, concerning ſuch Warrants or Preceps, as he by vertue of his office, ſhall and may direct immediatly to the Lord Chauncellor of England, or to any other perſon, for making out of the Kings graunts, or Letters patents to any perſon or perſons of any offices, fermors of lands or tenements, or of any other things belonging to his nomination and diſpoſition: but that aſwell he may direct his ſaid warrants or precepts for the cauſes aforeſaid, as alſo his Clerke or Clerkes, or other perſon may procure the ſame to be ſealed vnder any of the Clerkes aforeſaid, without any warrant to be before or after ſued or obtained vnder the kings Signet or Priuie Seale for the ſame, in as large and ample maner, and after ſuch ſort and faſhion, as he or they might haue done at any time before the making of the ſaid Act: Any thing in the ſame mentioned to the contrarie notwithſtanding. 27. H. 8. 11. *No preiudice to the Lord Treaſorer.*

6 Prouided alſo, that all and euery Leaſe or Leaſes of the kings manours, lands, tenements, poſſeſſions, or other profits, or hereditaments within the Countie Palantine of Lancaſter, or of the Duchie of Lancaſter out of the ſaid Countie Palantine, which the Chauncellor of the Duchy of Lancaſter for the time being, or the Chauncellor of the ſaid Countie Palantine for the time being, or either of them, ſhall graunt or make in the name of the King, his heires or ſucceſſors, to any perſon or perſons, ſhall and may paſſe, and be paſſed vnder the Seales of the the ſaid Duchie of Lancaſter, or of the ſaid Countie Palantine of Lancaſter, or of either of them, in maner & forme as heretofore hath bèen vſed: Any thing in this Act &c. notwithſtanding. 27. H. 8. 11. *Leaſes of Duchy lands.*

7 Prouided alſo, that all and euery gift, graunt, and Patent of any maner of Office or Offices, or any other thing, being, or which hereafter ſhall be in the Countie Palantine of Lancaſter, or of the ſaid Duchy of Lancaſter out of the ſaid Countie Palantine, the yearely wages or fées whereof amounteth not ouer and aboue the valuc of y. d. by the day, ſhall & may paſſe & be paſſed by the ſaid Chauncellor of the Duchy of Lancaſter, or by the ſaid Chauncellor of the ſaid Countie Palantine, or either of them for the time being, in maner and forme as heretofore haue bèen vſed: Any thing in this Act &c. notwithſtanding. 27. H. 8. 11. *A graunt of a ſmall office in the Duchy.*

8 All and euery Clerke and Clerkes of the Signet, and Priuie Seale, ſhal haue and take for his, or their writing of a warrant vpon a bill for Tayles of reward xij. pence, for the writing of a warrant for the gift of euery Office xx. d, for the writing of a warrant for a Pencion, Annuitie, or wages xx. d, for the writing of a warrant for a ſpeciall Liuerie, or other Perpetuitie vj. ſ. viij. d, for the writing of a warrant vpon euery bill for a Conge deſlier, royal aſſent, reſtitution of Temporalties, donatiues, aduocations, preſentatiõs, or other eccleſiaſtical matter, iij. ſ. iiij. d, for *Clerkes of the Signets fées.*

for the writing of euery warrant vpon a Placard, Licence, Pardon, or Shirifes reward y. s, for the writing of euery warrant vpon a Denizen iy. s. iiy. d, for the writing of a warrant for keeping of an Ideot xx. d, for the writing of a warrant for the keeping of a Ward iy. s. iiy. d. And no Clerke or Clerkes of the Signet, or priuie Seale aforesaid, shall take for the writing of any maner warrant aboue specified, more large & ample fees, then is before prescribed, vpon paine of x. pounds to be forfaited to the King and J. to be recouered by A. or J. in any of the Kings Courts, wherein no E. P. or W. &c. shall be admitted. 27. H. 8. 11.

The Lord Chauncellor may passe things without fees.

9 Prouided that the said L. Chauncellor of England, for the time being, shall and may at all times vse his discretion in passing & speding any time by the great Seale, & deliuering the same without paying any fees for the great Seale, Signet, and Priuie Seale, as the case of necessitie shall require, and as hath bẽ accustomed. And that the Clerkes for writing, or procuring such writings and Patents by his commaundement, shall be discharged of all penalties expressed before in this Act, for not receiuing & paying fees to the Signet, and Priuie Seale: Any thing in this Act &c. notwithstanding. 27. H. 8. 11.

Sealing of things touching the affaires of the Realme.

10 Prouided neuertheless, that this Act shall not in any wise be preiudiciall to any person or persons, whom the King shall by expresse commaundement, direct, send, or appoint to procure any thing or things to be sealed with any his Maiesties Seales, for, or concerning his priuat affaires, or the affaires of his Realme: But that aswell the same person or persons being appointed by the King as aforesaid, as all such officer and officers as shall haue the keeping of any of the kings Seales, their ministers and Clerkes shall and may seale, write, and deliuer, & procure the sealing, writing, and deliuering of any such thing and things, concerning the kings affaires, as aforesaid, without being bound, or procuring any maner warrant, or paying any fees to the Signet, or priuie Seale for the same, so that the name or names of euery such person or persons as shall procure the sealing of any such thing or things on the kings behalfe, as is aforesaid, be entred in the Clerke of the Hampers booke, after this sort: Per A. ad mandatum domini Regis: Any thing in this Act &c. notwithstanding. 27. H. 8. 11.

Fermes vnder vj. li. xiij. s. iiij. d.

11 This Act shal not in any wise be preiudiciall to any person or persons, which haue by the King, or by any of his officers, the graunt or lease of any maner ferme, or fermes, to be sealed with any his Seales, the yearely rent whereof amounteth not aboue the summe of vj. li. xiij. s. iiij. d. sterling. But aswell euery such person and persons, as officer and officers hauing the custodie of such Seale or Seales, their ministers and Clerkes may write, seale, and deliuer, or procure the writing, sealing, and deliuering of any such Lease or Leases, as aforesaid, without paying therefore any maner of fees, at, or to the Signet, or Priuie Seale, for the same: Any thing in this Act &c. notwithstanding. 27. H. 8. 11.

Clerkes of the Chauncerie.

vj. Clerkes may marrie.

THe fiue Clerkes of the Chauncerie that now be, and all other which in time to come shall be in the said office, may take Wiues, and marrie, and inioy their office of fiue Clerkes, in as ample maner as they did before: Though of old time it was accustomed, that all Courtiers, Ministers, and Clerkes of the Chauncery, writing to the great Seale, should be vnmarried (Sauing onely the Clerke of the Crowne.) But by this Act the Master of the Rolles shall not be preiudiced, in giuing, and disposition of the said offices, from time to time, as hath bẽ accustomed. And the said Officers shall giue such attendance vnto the said Master of the Rolles, as heretofore in the said offices hath bẽ accustomed. 14. H. 8. 8.

Clerke

Clerke of the Peacce.

EVery Custos Rotulorum, for the time being, shall at all times in euerie Shire of this Realme, Wales, and other the Kings Dominions, Marches, & Territories of the same, assigne euery person which shall be Clerke of the Peace, within any of the said Shires, Dominions, Marches, and Territories of the same, and graunt the same office of the Clerkship of the peace to such able person instructed in the Lawes of this Realme, as shall be able to exercise the same, to inioy the same during the time that the said Custos Rotulorum shall exercise the said office of Custos Rotulorum, so that the said Clerke demeane him in the said office iustly and honestly. And it shall be lawfull to euery such grauntées of the said Clerkeship, to occupie the same office by himselfe, or his sufficient Deputie instructed in the Lawes of this Realme, so that the same Deputie be admitted by the Custos Rotulorum, to be sufficient and able to exercise and inioy the same office. 37.H.8.1.

Custos Rotulorum shal appoint Clerke of the Peace.

Clerke of the Peace may make a deputie.

1 The fees of the Clerke of the Peace, for euery Recognisance and Licence graunted to euery Badger, Lader, Drouer, &c. S. Badger.

2 For the Clerke of the Peace his fee, and dutie, for the Inrollment of any deed. S. Inrolments 2.

Collector.

EVery graunt, patent, or writing that shall be made to any person by any Archbyshop, or Byshop alone, or by any of them, and confirmed by Chapter seale of the office of Collector of the Tenths yearely due to the kings Maiestie within the Dioces & Bishoprieke of the graunter, by reason of the statute of First fruits and Tenthes, shall abide in his force no longer time then the graunter shall remaine Archbyshop or Byshop of the same Sea, whereof he was possessed at the time of his said graunt: Any confirmation of the said graunt, custome, law, or statute &c. notwithstanding. 7.Ed.6.4. 1.Eliz.4. See for Collectors, Accomptants 40.41. And Q. whither they shall be bound to saue the Bishops harmelesse.

1 How Collectors of Dismes accompting in the Exchequer may be charged in the same, or other Courts, to aunswere to other. S. Accomptants &c. 49.

2 That the lands, goods, &c. of Vndercollectors of Tenthes and Subsidies be chargeable to the Q. for the satisfying of their receipt. S. Accomptants &c. 40.41.

3 Collectors for the repairing of Bridges, their receit, charge, and accompt. S. Bridges 3.4.

4 The duetie, receipt, charge, and accompt of the Collectors for the poore. S. Poore 2. &c.

Common.

WHere one hauing no right to Common, vsurpeth Common, what time an heire is within age, or what time a woman is couert, or whilest the pasture is in the hands of tenants in dower, by the curtesie, or otherwise for terme of life, or yeares, or in fée taile, and the pasture be long vsed, many hold opinion, that such pastures ought to be said appurtenant to freehold, & that the possessioner ought to haue action by a writ of Nouel disseisin, if he be defeated of such pasture. But from henceforth this must be holden for Law, that such as haue entred within the time that an Assise of Mortdauncester hath lyen, if they had no common before, shall haue no recouerie by a writ of Nouel disseisin, if they be defeated. Westm̃ 2. 13.Ed.1.46. S. Approuements.

Commissi-

Commiſſions, Commiſſioners.

Commiſſioners not receyuing the Commiſſion.

WHere a Commiſſion is directed to any perſon to heare and determine, or to inquire & certifie, which Commiſſioners neuer knew of the ſaid Commiſſion, neither yet the ſame euer came to their hands, if the ſame Commiſſioners be diſtrained by proces forth of the Exchequer for iſſues loſt by reaſon of the ſaid Commiſſion, they may take their othes before the Barons of the Exchequer, of their excuſe and diſcharge of the receipt or occuppying of the ſaid commiſſion. And alſo the Barons of the Exchequer, & the Iuſtices of the one Bench, and the other, haue power by writ of Dedimus poteſtatem, to receiue ſuch othes in the Countrie, and therof to certifie the Barons into the Exchequer, whereupon the Barons ſhal diſcharge the ſaid Commiſſioners: And in like ſort it ſhall be done for the heires, executors, or land tenants of the ſaid Commiſſioners. But ſuch othes ſhall not be taken, but in caſes of Commiſſions to heare and determine, and to inquire and certifie. 7. H. 4. 11.

2 In all inquiries within this Realme, Commiſſions ſhall be awarded to ſome of the Iuſtices of the one Bench, or of the other, or Iuſtices of Aſſiſe, or Iuſtices of the peace, with other of the moſt worthy men of the Countrie, aſwell for the Kings profit, as the Commons (ſauing in the office of Eſcheatorſhip, or matter touching that office.) 42. Ed. 3. 4.

Bankrupts. 1 For the authoritie of Commiſſioners which are to inquire of Bankrupts, and what they ſhall doe in euery reſpect. S. Bankrupts 2. &c.

Sewers. 2 For all the authoritie of the Commiſſioners of Sewers, and what in each reſpect is to be done by force of the ſaid Commiſſion. S. Sewers 1. &c.

Purueyors. 3 In what caſes Commiſſions ſhall be directed to inquire of Purueyors behauiour. S. Purueyours 18.

Commiſſion of peace. 4 Where one Commiſſion of the peace ſhall not be *Superſedeas* to an other. S. Iuſt. of peace 109.

Piracie. 5 For Commiſſion to inquire of offences done vpon the Sea, and for the Commiſſioners authoritie. S. Piracie 1. 2. 4.

Purueyors. 6 Purueyors ſhall ſhew their Commiſſions to them, of whom they take any thing. S. Purueiors 3.

Purueyors. 7 The ſubſtance, forme, and continuance of Commiſſions graunted to Purueyours. S. Purueiors 25. 26. 27. 31.

Riots. 8 Where Commiſſions ſhall be graunted to inquire of Iuſtices of peace and Shirifes defaults for not inquiring of Riots. S. Riots 6.

Treaſon. 9 In what caſes Treaſons may be tried in any Countie, by ſpeciall Commiſſion. S. Treaſon 9.

Villaines. 10 In what caſes a Commiſſion ſhall be graunted to inquire of the miſdemeanor of Villaines. S. Villaines 1.

Appeales. 11 In what caſe a Commiſſion ſhall be graunted vpon an Appeal out of an Archbiſhops Court. S. Appeales 5.

12 No ſuit before certaine Iuſtices and Commiſſioners ſhall be diſcontinued by a new Commiſsion. S. Diſcontinuance of proces 6.

13 Commiſſions vpon Appeales vpon Ciuill or Marine cauſes. See Appeales 8.

14 The Commiſsion for executing ſpirituall iuriſdiction, and the Commiſſioners authoritie. S. Crowne 3.

15 Commiſſions graunted to inquire for Money gathered for houſes of correction, or ſtockes for the poore. S. Vagabonds 13.

16 Commiſſions to inquire of the miſimployment of lands or goods giuen to godly vſes. S. Hoſpitals 10.

Condi-

Condition, Couenant.

As well al and euery perſon and perſons, and bodies politike, their heires, ſucceſſors, and aſſignes, which haue any gift or grant of King Henry the eight, by his letters patents, of any Lordſhips, manours, lands, tenements, rents, parſonages, tithes, portions, or any other hereditaments, or of any reuerſion or reuerſions of the ſame, as alſo all other perſons being grauntées, or aſſignées, to or by the ſaid King, or to or by any other perſon or perſons, then the ſaid King Henry the eight, and the heires, executors, ſucceſſors, and aſſignes of euery of them, ſhall and may haue, and enioy like aduantages againſt the leſſées, their executors, & aſſignes, by entrie for non-paiment of the rent, or for doing of waſt, or other forfeiture, and alſo all and euery ſuch like, and the ſame aduantage, benefit, & remedies by action onely, for not performing of other conditions, couenants, or agréements, contained and expreſſed in the Indentures of their ſaid leaſes, demiſes, or graunts, againſt all and euery the leſſées, fermors, and grauntées, their executors, adminiſtrators, and aſſignes, as the ſaid leſſors or grauntors themſelues, or their heires or ſucceſſors ought, ſhould, or might haue had and enioyed at any time. 32. H. 8. 4. Grantées of reuerſions aduantage againſt leaſées

2 All fermors, leſſées, and grauntées, of Lordſhips, manors, lands, tenements, rents, parſonages, tithes, portions, or any other hereditaments for terme of yeares, life, or liues, their executors, adminiſtrators, and aſſignes, ſhal and may haue like action, aduantage, and remedie againſt all and euery perſon and perſons and bodies politike, their heires, ſucceſſors, and aſſignes, which haue or ſhall haue any gift or grant of any perſon or perſons, of the reuerſion of the ſame manors, lands, tenemẽts, and other hereditaments ſo letten, or any parcell thereof, for any condition, couenant, or agréement contained, or expreſſed in the Indentures of their leaſe or leaſes, as the ſame leſſées, or any of them might and ſhould haue had againſt the ſaid leſſors and grauntors, their heires or ſucceſſors (all benefits and aduantages of recoueries in value, by reaſon of any warrantie in déede, or in law by voucher or otherwiſe only excepted.) 32. H. 8. 34. Leſſées aduantage againſt grantors in reuerſion.

1 Conueiance of land, leaſe or rent with condition of reuocation or alteration. S. Fraudulent deeds 7.

Condite.

If any perſon doe wilfully, malitiouſly, and vnlawfully cut, or cauſe to be cut out the head or pipe of any condite of any other perſons, he ſhall loſe to the partie grieued treble dammages, to be recouered by action of treſpas, and ſhall forfeit to the King x. li. for a fine. 37. H. 8. 6.

Coniuration, Enchantment, Witchcraft.

If any perſon or perſons ſhall vſe, practiſe, or exerciſe any inuocation, or coniuration of any euill and wicked ſpirit, or ſhall conſult, couenant with, entertain, imploy, fede, or reward any euill and wicked ſpirit, to or for any intent or purpoſe, or take vp any dead man, woman, or childe, out of his, her, or their graue, or any other place, where the dead body reſteth, or the ſkin, bone, or any other part of any dead perſon, to be imployed or vſed in any manner of witchcraft, ſorcerie, charme, or inchantment, or ſhall vſe, practiſe, or exerciſe any witchcraft, inchantment, charme, or ſorcerie, whereby any perſon ſhall be killed, deſtroyed, waſted, conſumed, pined, or lamed in his or her bodie, or any part thereof: Then euerie ſuch offendor, or offendors their aidors, abbettors, and counſellors, being of any the Coniuration or inchantmẽt whereby any perſon is killed or lamed.

the ſaid offences duely and lawfully conuicted and attainted, ſhall ſuffer paines of death as a felon, or felons, and ſhall loſe the priuiledge and benefite of Clergie and Sanctuarie. 1. Iac. 12.

Declaring where things be hidden, or procuring vnlawfull loue.

2 If any perſon or perſons ſhall take vpon him or them by witchcraft, inchantment, charme, or ſorcerie, to tell, or declare in what place any treaſure of gold or ſiluer ſhould or might be found, or had in the earth, or other ſecret places, or where goods, or things loſt, or ſtolne, ſhould be found, or become, or to the intent to prouoke any perſon to vnlawfull loue, or whereby any cattell or goods of any perſon ſhall be deſtroyed, waſted, or impayred, or to hurt or deſtroy any perſon in his or her bodie, althought the ſame be not effected and done, then all and euery ſuch perſon and perſons ſo offending, and being thereof lawfully conuicted, ſhall for the ſame offence ſuffer impriſonment by the ſpace of one whole yeare without baile or mainprize, & once in euery quarter of the ſaid yeare, ſhall in ſome Market towne, vpon the Market day, or at ſome time, as any Fayre ſhall be kept, there ſtand openly vpon the Pillorie by the ſpace of fiue houres, and there ſhall openly confeſſe his or her error and offence. 1. Iac. 12.

The penaltie for the ſecond offence.

3 If any perſon or perſons being once conuicted of the ſaid offences, as is aforeſaid, do eftſones perpetrate and commit the like offence, then euery ſuch offendor being of any the ſaid offences the ſecond time lawfully and duely conuicted and attainted, as is aforeſaid, ſhall ſuffer paines of death, as a felon or felons, and ſhall loſe the benefit and priuiledge of Clergie and Sanctuarie. Sauing to the wife of ſuch perſon as ſhall offend in any thing contrarie to this Act her title of Dower, and alſo to the heire, and ſucceſſor of euery ſuch perſon, his or their titles of inheritance, ſucceſſion, and other rights, as though no ſuch attainder of the Auncеſtor or predeceſſor had béene made. 1. Iac. 12.

4 Prouided alwayes, that if the offendor in any the caſes aforeſaid, ſhall happen to be a Péere of the Realme, then his triall therein to be had by his Péres, as it is vſed in caſes of Felonie or Treaſon, and not otherwiſe. 1. Iac. 12.

Conſpiracie.

Who be Conſpirators.

COnſpirators be they which bind themſelues by oath, couenant, or other alliance, that euery one ſhall helpe and maintaine others purpoſe, falſly, and maliciouſly to indite, or to moue or maintaine ſuites: And alſo that cauſe Infants to appeale other of Felonie, whereby they are impriſoned and much grieued: And ſuch as retaine men in the Countrey with liueries or fées, to maintaine their lewd enterprizes, and to ſubuert the trueth, aſwell the takers, as the giuers: And Bailifes & Stewards of great Lords, which by their Seigniorie, office, or power, do vndertake to maintaine or vphold other quarrels or ſuits, then ſuch which concerne their Lords, or themſelues. 33. E. 1.

The puniſhment of Conſpirators.

2 A man ſhall haue a writ out of the Chauncerie againſt Conſpirators, falſe Informers, and Imbracers of Aſſiſes, Enqueſts, and Juries: And alſo Juſtices of either Bench, and of Aſſiſe, when they come into the Countrey to take Aſſiſes, ſhal make inquirie thereof vpon any mans plaint without writ, and ſhall without delay doe right to the plaintifes. 28. E. 1. 10.

Conſpiracie vpon appeals, &c of felonie committed in a place ſuppoſed, where there is no ſuch.

3 Appeales and Indictments of Treaſon and Felonie, ſuppoſed to be done in places where there be no ſuch places in the ſame Countie, be voide, and alſo the proces thereupon awarded: And they which be indicted or appealed, may haue a writ of Conſpiracie againſt their Indictors, Procurors, and Conſpirators, and ſhall recouer their dammages, and the Indictors, Procurors, and Conſpirators, ſhal be imprioned, make fine and ranſome to the King, by the Juſtices diſcretion. 18. H. 6. 12.

4 The Steward, Treaſurer, and Controller of the Kings houſe for the time being, or one of them, haue ful authoritie and power to inquire by twelue ſad men, and diſcreet perſons of the Checke roll of the Kings honourable Houſhold, if any ſeruant admitted to be his ſeruant ſworne, and his name put into the Checke roll of Houſhold, whatſoeuer he be, ſeruing in any manner office, or reme reputed, had and taken vnder the eſtate of a Lord, make any confederacies, compaſſings, conſpirations, imaginations with any perſon or perſons, to deſtroy or murder the King, or any Lord of this Realme, or any other perſon ſworne vnto the Kings Councell, Steward, Treaſurer, Controller of the Kings Houſe: That if it bee found before the ſaid Steward for the time being, by the ſaid twelue men, that any ſuch of the Kings ſeruants, as is abouesaid, hath confederated, compaſſed, conſpired or imagined, as is abouesaid, that he ſo found by the enquirie, be put thereupon to anſwere. And the Steward, Treaſurer, and Controller, or two of them, haue power to determine the ſame matter according to the Law. And if he be put in tryall, that then it be tryed by other twelue ſad men of the ſame houſhold. And that ſuch miſdoers haue no Challenge but for malice. And if ſuch miſdoers bee found guiltie by confeſſion, or otherwiſe, that the ſaid offence be iudged Felonie: and they to haue iudgement and execution, as Felons attainted ought to haue by the common Law. 3.H.7.14. Conſpiracy to deſtroy the King, or any Lord. Challenge.

1 For conſpiracies or agreements made by artificers, touching ſelling their victuals, or doing their workes. S. Artificers 1, 2. Corporation 7.

Conuocation.

All the Clergie which be called to the Conuocation by the Kings writ, and all their ſeruants and familiars, ſhall fully vſe and enioy ſuch liberty or defence in comming, tarrying, and returning, as the great men, and commons of the Realme haue, or are wont, or ought to enioy, which are called to the Parliament. 8.H.6.1. The Clergies liberties at the Conuocation.

2 The Clergie, nor any of them, ſhall preſume to attempt, alleadge, clayme, or put in vre, any Conſtitutions, or Ordinances prouinciall or ſynodall, or any other Canons, nor ſhall enact, promulge, or execute any ſuch Canons, Conſtitutions, or Ordinances prouinciall, by whatſoeuer name or names they may be called in their Conuocations (which alwaies ſhall be aſſembled by authoritie of the Kings writ) vnleſſe the ſame clergy may haue the kings royall aſſent, and licence to make, promulge, and execute ſuch Canons, Conſtitutions, and Ordinances prouinciall or ſynodall, vpon paine of euery of the ſaid Clergie doing contrary to this Act, and being thereof conuict, to ſuffer impriſonment, and make fine at the kings will. 25. H.8.19. 1.El.1. The Clergies conſtitutions.

3 No perſon reſiant in any of the kings dominions, ſhall depart out of the ſaid Dominions to or for any viſitation, congregation, or aſſemblies for Religion, but all ſuch viſitations, congregations, and aſſemblies, ſhalbe within the kings dominions. 25.H.8.21. 1.El.1. Aſſemblies for religion ſhal be only within England.

Corne and Graine.

NO perſon ſhall tranſport out of this Realme, by any Ship, Crayer, or other Veſſell, into any place beyond the Seas, or into Scotland, any Wheat, Rye, Barley, or other Corne or Graine, growing within this Realme, or any Mault made within the ſame, or any Beere, Butter, Cheeſe, Herring, or Wood (except only to and for the victualling and furniture of Barwicke, & the marches of the ſame) without lawfull authoritie ſo to doe, vpon paine that the owner of the ſaid Corne, No corne &c. ſhalbe tranſported without licence.

Butter, Cheese, Herring, and Wood, to forfeit the double value of the same so carried, to the Q. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. And the Maister and Mariners of euery of the said Ships &c. for euery such offence to forfeit all their goods, and to be imprisoned one whole yeare without baile or mainprise: and the owner of the said Ships, Crayers, and other vessels, with all their apparel to them belonging, wherin the said corne &c. shalbe so transported, 1. & 2. P. & M. 5. But no forfeiture of Ship, Crayer, or other Vessell, or of any apparell of the same, nor any other penalty, shalbe extended against any owner of any Ship, Crayer, or other Vessell, for the transporting of any corne or other things aforesaid, vnles the same owner shalbe witting, knowing, aiding, or cõsenting to the prohibited transporting, 5. El. 5. 1. Iac. 25.

No corne &c. shalbe carried to any ship to be transported

2 If any person doe carry and conuey away by Boat, Crayer, or other Vessell, or otherwise, any Wheat, Rie, Barley, Mault, or other Corne or Graine, or any Beere, Butter, Cheese, Herring, or Wood, to any ship or vessell being on the seas, or within any Hauen, Creeke, or other place of the border of this Realme, to be transported beyond the seas, or into Scotlãd, without sufficiẽt authoritie so to do, then euery owner of the said victuals, corne, and other things abouesaid so transported, and the owner of euery such boat, or vessell, and the boatmen and mariners of the same, shal forfeit and suffer all such paines and penalties as are aboue rehearsed, to the Qu. and I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 1. & 2. Ph. & M. 5.

He that hath licence to trãsport, carrieth more.

3 If any person shall obtaine of the Quéene, her Heires, or Successors, any licence to transport any corne, victuall, or wood beyond the seas, if he or any other to whom he shall giue, graunt, or sell his said licence, shall carry or cause to be carried any more corne, victuall, or wood, then shall be contained in his said licence, hée shall forfeit the treble value of the said corne, victuall, or wood, so transported without sufficient authoritie, and shall suffer imprisonment for one whole yeare without baile or mainprise in the common gaole, where he shalbe apprehended. 1. & 2. Ph. & M. 5.

He that hath licence to trãsport corne &c. shall lade it at one place.

4 No person that shal haue any such licence for transporting any corne, victuall, or wood beyond the seas, shall ship the same or any part thereof at sundry places within this Realme, but at one place certaine, vpon pain of forf. of the same, and all his goods & cattels, to the Qu. & I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 1. & 2. P. & M. 5.

Victualling of ships.

5 This Act shall not extend to any persons for the necessarie victualling of any ships, or other vessels, neither shall it be preiudiciall to the Lord Admirall of England, for the time being, or to the Quéenes iurisdiction of the Admiraltie, but the said Admirall or his deputies shal vse and execute all kind of iurisdiction belonging to the sea, according to his or their Commissions. 1. & 2. Ph. & M. 5. S. Iustice of Peace 27.

Corne of certaine prices may be transported.

6 When the prices of Cornes or Graines excéd not the rates hereafter following, at the times, hauens, and places, where and when the same Corne or Graine shall be shipped or laden, viz. The quarter of Wheat at 26. s. 8. d. the quarter of Rye, Pease, and Beanes at 15. s. the quarter of Barley or Mault at 14. s. of currant English money: Then it shall be lawfull for all and euery person and persons being subiects of the King, his Heires, or Successors, to transport of his owne, and to buy and transport any of the said Cornes and Graines vnto any parts beyond the seas in amitie with his Maiestie, to sell as marchandize in Shippes, Crayers, or other Vessels, whereof any English borne subiect or subiects then shall be the owner or owners. Any law &c. notwithstanding. And the K. his Heires, and Successors, shall haue and receiue by the Customers and Officers of his ports, for the Custome or Pondage of euery quarter of Wheat to be transported

porte by force of this Statute, 2.s. of euery quarter of other Graine 16.d. which said seuerall summes so to be had and taken as custome or pondage, to be in full satisfaction of all manner of custome or pondage for the said corne or graine by any Constitution, Order, Statute, Law, or Custome heretofore made, vsed, or taken for transporting of any such manner of corne or graine. Prouided alwaies, that the King, his Heires, and Successors, may at all times by his and their Writ of Proclamation to be published generally in the whole Realme, or in any of the Counties of the Realme, where any port townes are, commaund, That no person shall by vertue of this Act, transport or carry any manner of Graine out of his Highnesse dominions generally, or out of any speciall ports to be in the same Proclamation particularly named, for such time as shall be therein limitted and appointed. And it shall not be lawfull for any person to carry out any such Graine, contrary to the tenor of the same Proclamation, vpon such pains and forfeitures, as by the Lawes and Statutes of this Realme are and haue bene prouided and ordained in that behalfe: This Act &c. notwithstanding. 1. Iacob. 25. At all times from and after the Feast of Pentecost, which shall be in the yeare of our Lord God one thousand fiue hundred and seuen, it shall and may bee lawfull for all and euery person and persons to transport of his owne, or to buy and transport, or cause to be bought and transported, any Beere with the Caske, vnto any place or places beyond the Seas, in amitie and league with his Maiestie, his Heires, or Successors, to sell or marchandize, or otherwise, in Shippes, Crayers, or other Vessels, when the price of euery quarter of Mault, at the times, hauens, and places, when and where the same shall be shipped and laden, exceede not the summe of xvj.s. currant English money, Any Law or Statute to the contrarie notwithstanding. And the King, his Heires, and Successors, shall haue and receiue by the Customers, Controllers, and Officers of his Ports, where such Beere shall be so shipped, or loaden to be transported, the summe of viij. s. vj.d. for Impost, and xviij.d. for Custome to be payed by euery subiect of the Kings, his heires, and successors, for euery Tunne of Beere so to be transported: And likewise the summe of x.s. for impost, and xxj.d. ob. for custome to be payed by euery stranger, which shall be in full satisfaction of all manner of Customes, Pondage, Impost, or other duties whatsoeuer for the same Beere, Any Constitution, Order, Law, Statute, or Custome heretofore made, vsed, or taken for transporting of any such Beere, to the contrarie in any wise notwithstanding. This Act nor any thing therein contained, shall extend to repeale or make void any Clause, Article, or Prouision contayned in any former Law, now in force, touching the bringing in of Clapbord, Caske, or Shaffold-bord, but euery such Braunch, Article, Clause, or Prouision, shall extend as well vnto all and euery transportation, or transportations, made lawfull and warranted by vertue of this Act, as otherwise, any thing contained in this Act to the contrarie notwithstanding. 3. Iacob. 11. This Act to continue but to the end of the first Session of the next Parliament.

Beere may be transported.

The K. impost & custome for Beere transported.

Clapbord. Caske.

7 It shalbe lawfull to all persons, being subiects of the Quéene, her heires, and successors, and inhabiting within her dominions, (only out of such ports and creeks, where are or shall be resident a Customer or Collector of Subsidie, of Tonnage, and Pondage, or one of their deputies, and not elsewhere) to lead, carry, or transport any Wheat, Rie, Barley, Mault, Pease, or Beanes, into any parts beyond the seas, being in amity with this Realme, and not prohibited by any restraint or Proclamation, only to sell as marchandize in shippes, crayers, or other vessels, bearing crosse sailes, whereof any English borne subiects inhabiting within her Highnesse dominions then shalbe the only owners, at all such times as the seuerall prices thereof shalbe so reasonable in the seuerall counties, where any such transportatiō shalbe in-

Corne may be transported when the prices be allowed reasonable.

intended, as that no prohibition shalbe made either by the Quéne, her Heires, or Successors, by Proclamation to be made in the Shire Towne, or in any port Townes of the Countie, or else by some order of the Lord President and Counsell in the North, or the Lord President and Counsell in Wales, within their seuerall iurisdictions, or of the Iustices of assises, at their Sessions in other shires out of the iurisdiction of the said two Presidents and Counsels, or by the more part of the Iustices of the Peace of the County at their Quarter Sessions in this manner following: That is, the said Lords Presidents & Counsels for the shires within their iurisdictions, the Iustices of Assise at their seuerall Sessions (in other shires out of the said iurisdictions, belonging to the said Counsels in the North, and in Wales) yearely shall vpon conference had with the Inhabitants of the Countrey of cheapnesse and dearth of any of the said kinds of Graine within the Counties, within the iurisdictions of the said Counsels, or in the other countries, within the limits of the said Iustices of Assise, by their discretion determine whether it shall be meet at any time to permit any Graine to be caried out of the Realme, by any port within the said seuerall iurisdictions or limits, and so shall in writing vnder their hands & seales make a determination, either for permission or prohibition, & the same cause to be by the Sherife of the Counties published and affixed in as many accustomed market townes and ports within the said shire, as they shall think conuenient, and in such manner, as the Quénes Proclamations are vsually published and affixed, which determination of the said presidents and Counsels in their iurisdictions, and of the Iustices of Assise in their limits shall continue in force for the time, place, and manner therein expressed, vntill the said Presidents & Counsels shall otherwise order, or vntill the I. of Assise, at their being in their said circuits, in euery of the said Counties shal alter, or otherwise order the same, except ỳ same shal be otherwise in the meane time altered or countermanded by the M. her heires or successors, or by some order of the I. of P. in the Counties situated out of the iurisdictions of ỳ said y. Counsels, in their M. Sessions to be holden in the mean time, or the greater part of them, which shall find the same determination of the I. of Assise to be hurtfull to the County by means of dearth, or to be a great hinderance to tillage by the meanes of too much cheapenesse, & shall by their writings vnder their hands & seales, make any determination to the contrary, either for permission or prohibition of cariage of any kind of Graine out of the Realme, & the same determination shall cause in like manner to be published & affixed as aboue is said: which determination shall also continue in force, except the same shalbe altered by the M. her heirs or successors, or vntil the I. of Assise at their being in their said circuits in euery of the said counties afore to them limitted, shal alter, or otherwise order the same, who shal & may vpon new conference had, from time to time, alter the said determinations in the whole, or in the part, as to their discretions shal seeme meet, & the same shall also cause to be published as is before prescribed: But neither any of the said presidents & counsels, nor the said I. of Assise, nor the said I. of Peace, shall publish any their determinations aboue mentioned, vntill the same shal be first by writing notified to the Mu. or to her priuy Counsell, & by her Maiesty or her priuy Counsell shall be liked and allowed. 13. El. 13.

No determination published without the Mu. or her Counsels assent.

8 The M. her heirs & successors may at al times by her writ of Proclamatiõ to be published generally in the whole Realme, or in the Counties of the Realme, where any port Townes are, commaund, that no person shall by vertue of this Act transport any Graine to any parts out of her dominions, either generally out of any port in the Realme, or particularly out of any speciall ports to be in ỳ same proclamation named, & it shal not be lawfull for any persõ to carry out any such graine contrary to the tenor of the same proclamation, vpon such pains as by the lawes of the Realme are & haue bin prouided. 13. El. 13.

The Quéne may restraine transporting of Corne by Proclamation

9 Who

9 Whoſoeuer ſhall bring into any port or place of this realme, any wheat, rie, or barly, which is not growing within the K. dominions, at any time when ỹ quarter of wheat doth not exceed the price of vj.s. viij.d. the quarter of rie iij.s. the quarter of barly iij.s. within the port or place, where ſuch graine ſhalbe brought, ſhall forf. the ſaid graine to the King, & him that will ſeiſe the ſame. But this act extends not to any wheat, rie, or barly, taken by any of the K. liege people vpon the ſea, without fraud or couin. 3. E. 4. 2. *A reſtraint of bringing corn into this Realme.*

10 If any perſon hauing ſufficient corne for the prouiſion of his houſe, & ſowing of his ground for one yeare, doth buy any corne in any faire or market, for ỹ change of his ſeed, & doth not bring to the ſame faire or market, the ſame day, ſo much corne as he ſhall buy for his ſeed, & ſell it (if he can) as the price of corne then goeth in ỹ ſaid faire or market, Then euery ſuch perſon ſo buying corn for ſeed, ſhal forf. double the value of the corne ſo bought to the K. & J. to be recouered by A. J. &c. wherin no Wa. &c. E. P. &c. 5. E. 6. 14. 13. El. 25. *He that buyeth corne for change of his ſeed, muſt bring in as much to the ſame market.*

1 For the cuſtome of corne tranſported. S. Cuſtome 4.

Corpus cum cauſa.

IF a Corpus cum cauſa, or Certiorari, be awarded to remoue the body of any perſon which is condemned in any of the K. Courts, and the cauſe into the Chauncerie, the priſoner ſhalbe remanded continually to remaine in priſon, without being let to baile or mainprize, vntill he hath agreed with the plaintife for the ſumme adiudged. 2. H. 5. 2.

2 He that ſueth to defeat an execution vpon a ſtatute ſtaple, & therupon cõmeth into the Chancery by Corpus cum cauſa, & there hath a Scire facias againſt the party, vpon that defeaſance, or ſuch like, he ſhall find ſurety as well to the K. as to the party ſeuerally, to yeeld his body, or pay the money, if the matters compriſed in the Scire facias be not found or adiudged for him. 11. H. 6. 10.

Corporations, Maiors, and head Officers of the ſame.

NO Makers, Wardens, and Fellowſhips of Crafts or Myſteries, nor any of them, ſhall take vpon them to make any Acts or Ordinances, ne to execute any by them heretofore made, in diſheriting or diminution of the prerogatiue of the King, nor of other, nor againſt the common profit of the people, but if the ſame Acts or Ordinances be examined and approued by the Chauncellor, Treaſurer of England, or chiefe Iuſtice of either Benches, or three of them, or before both the Iuſtices of Aſſiſe in their circuits or progreſſe, in the Shire where ſuch acts or ordinances be made, vpon paine of forf. of xl. l. for euery time that they do the contrary. 19. H. 7. 7. *No new ordinãces without conſent of the Chancellor or Iuſtices.*

2 None of the ſame bodies corporat ſhall make any acts or ordinances to reſtrain any perſon to ſue to ỹ King, or to any of his courts for due remedy to be had in their cauſes, ne put ne execute any penalty or punichmẽt vpon any of them, for any ſuch ſuit made, vpon paine of forf. of xl. l. for euery time that they doe the contrary. 19. H. 7. 7. *No ordinance to reſtraine ſuite in the K. court.*

3 No Makers, Wardens, or fellowſhips of Crafts, nor any of them ſhal cõpell, or cauſe any prentice or iourneyman by oath, or band, or otherwiſe, that he after his apprentiſhip, or terme expired, ſhall not ſet vp, nor kæpe any ſhop, houſe, or cellar, nor occupy as a freeman, without licence of the maſter, wardens, or fellowſhip of his occupation, for & concerning the ſame, vpon paine to forf. for euery time ỹ they or any of them ſhal offend contrary to this Act, xl. l. to the K. & Iu. &c. to be recouered by A. J. &c. wherein no E. P. &c. 28. H. 8. 5. *None ſhalbe reſtrained to kæpe ſhop.*

The fees for entry of apprentice and freemen.

4 No Maister, Wardens, or Fellowships of Crafts, nor any of them, shal take of any apprentice, or other person, for the entry of any prentice into their said fellowship, above the summe of v.s. vj.d. nor for his entry when his peres terme is expired, above iij.s. iiij.d. vpon paine to forfeit for euery time that they or any of them shal offend contrary to this act, xl.l. to the K. & J. &c. to be recouered by A.J. &c. wherein no P.E. &c. 22.H.8.4. 28.H.8.5.

In Corporations none shall haue a negatiue voice

5 All & euery peculiar act, order, rule, and statute heretofore made, or hereafter to be made by any Founder or Founders of any Hospitall, Colledge, Deanrie, or other Corporation, at or vpon the foundation of the same, wherby the grant, lease, gift, or election of the gouernor or ruler of such Hospital, Colledge, Deanry, or other Corporation, with ỳ assent of the more part of such of the same Hospital, &c. as haue or shall haue voice of assent to the same, at the time of such grant, lease, gift, or election to be made, should be in any wise hindred or let by any one or moe, being ỳ lesser number of such corporation, contrary to the course of the common Law of this Realme, shalbe clerely void. And all oaths heretofore taken (viz. before the said statute made 16. die Ianuarij, Ann. Dom. 1541.) by any person of such Hospitall, Colledge, Deanrie, & other Corporation, shalbe for & concerning the obseruance of any such order, statute, or rule deemed void. And no person of any such Hospitall, Colledge, Deanrie, or other Corporation, shalbe in any wise compelled to take any oath for the obseruing of any such order, statute, or rule, vpon the paine of euery person giuing such oath, to forf. for euery time so offending, v.l. to the King and J. &c. to be recouered by A.J. &c. wherein no W. &c. E.P. &c. or other dilatory plea shalbe allowed. 33.H.8.27.

Officers shall set vp tables of all duties.

6 All and singular offices for euery Citie, Borough, or Towne, where any custome, toll, duties, or summes of money shalbe demaunded of any alien borne made denizen, shall set vp, or cause to be set vp in open place & places of euery such Citie, Borough, or Towne, a table or tables, by which the certainetie and very dutie of euery such Custome &c. of wares to be demanded, may plainly appeare, to ỳ intent, that nothing be eracted otherwise then in old time hath bene vsed, vpon paine, that euery City not doing the same, shall lose v.l. and euery Towne Corporat xl.s. for euery moneth the same table shall faile to be set vp, to the King and J. to be recouered by A.J. &c. wherein no W.E.P. Prouided, that the table set vp in London, touching Scauage within the same, shall be first viewed, examined, and approued by the Chancellor & Treasurer of England, the President of the K. Counsell, the L. priuie Seale, the L. Steward of the K. Houshold, and the two chiefe Iustices &c. for the time being, or by iij. of them at the least, & by them subscribed. 22.H.8.8. S. Aliens 2.

The Tables in London touching scauage.

Compacts made by Victuallers.

7 If any conspiracy, couenant, or promise be made by any societie, brotherhod, or cõpany of any craft or mysteries of ỳ Butchers, Brewers, Bakers, Pulters, Cooks, Costermongers, or Fruiterers, that they shall not sell their victuals but at certaine prices, with the presence or consent of the more part of them: then immediatly vpon such conspiracie &c. beside the particular punishmẽt appointed to the offendor, their Corporation shalbe dissolued to all intents. 2.Ed.6.15. S. Artificers 2.

Arrowheads.

8 Mayors, Shirifes, and Baylifes of Cities, and Boroughs, haue power to inquire wi.hin the same, of all false makers of Arrow-heads, and Quarrels, and to punish them according to the Statute in that case prouided. 7.H.8.7. S. Arrow-heads 1.

Artificers.

9 Mayors and Baylifes at their Courts haue authoritie to enquire, heare, and determine all and singular offences committed by Victuallers, Artificers, Workmen, and Labourers against the Statute for them prouided 2.Ed.6. and to punish the offendors according to the tenor of the same Statute. 2.Edw.6.15. S. Artificers 1.

10 In

10 In euery citie, boꝛough, and towne, where there be Maiors, Shiriffs, oꝛ head Officers, they haue authoꝛitie to name and ſelle the pꝛices of euery Barrel, Kilderkin, & Firkin of Ale & Beere: And the Ale & Beere bꝛuers, ſhall not ſell their Ale & Beere at higher pꝛices, then ſhalbe aſſeſſed vnto them. 23. H. 8. 4. S. Bruers 2. The pꝛices of Ale & beere.

11 Maiors, Bailifs, & other head officers of the poꝛt oꝛ place where any ſouldier ſhall arriue (which hauing muſtered and receiued the K. wages, doth depart from his Captaine within his terme without licence) haue authoꝛitie to arreſt and keepe the ſame Souldier, vntill further inquiric (accoꝛding to the oꝛder of the law) be made of his offence. 18. H. 6. 19. See Captaines 3. Souldiers.

12 The pꝛices of all barrels, kilderkins, firkins, & other veſſels to be ſold foꝛ ale, beere, oꝛ ſope, to be vttered therein, ſhall be tared by Maiors, Bailifs, & other head officers of euery citie, and towne coꝛpoꝛate, where any ſuch veſſel ſhall be made oꝛ offered to be ſold. 8. El. 9. See Coopers 1. Barrels and Kilderkins.

13 The Maiors, Shiriffs, Bailifes, Conſtables, and other head officers in ſuch cities, boꝛoughs, and townes, wherein no wardens of Coopers be, haue authoꝛitie to ſearch, viewe, and gauge all barrels, kilderkins, firkins, and other veſſels, that they be made and marked ſufficently, and containe the true and lawfull rates and meaſures, and to marke euery veſſell bearing the true content. And to take foꝛ ſearching and gauging of euery ſuch veſſel, q. And they may retaine the veſſell vntill they be ſatiſfied thereof. And if they finde any veſſel defectiue, not bearing the true contents, they may retaine the ſame, and cauſe it to be marked and amended, oꝛ els to bee burned. And the ſame authoꝛitie haue the wardens of the Coopers within London, taking with them an officer of the Maiors, to ſearch & marke all veſſels within London, the ſuburbs, and two miles compaſſe of the ſuburbs. 23 H. 8. 4. See Coopers 2. 5. Marking of veſſels.

14 All Maiors, Bailifs, and gouernoꝛs of cities, boꝛoughs, & market towns, & all other places of this realm, where there be Maiors, Bailifes, oꝛ gouernoꝛs, haue authoꝛitie to name and choſe diſcreet and expert perſon oꝛ perſons, daily to ſearch and gauge all veſſels of Salmon, Herring, & Eeles, that they be faithfully packed and keepe their meaſure and aſſiſe. 22. E. 4. 2. 11. H 7. 23. See Fiſh 8. 9. 10. 11. Veſſels of ſalmon, herring, and Eeles.

15 The Juſtices of peace within any countie of this realme, ſhall not intromit oꝛ enter into any citie, boꝛough, oꝛ towne coꝛpoꝛat, foꝛ execution of any article in in the Act (made to reſtraine the exceſſiue making of mault) except he be a Juſtice of P. alſo in the ſaid citie, boꝛough, oꝛ towne coꝛpoꝛate. But it ſhall be lawfull to the Juſtices of peace, Maiors, Bailifs, & other head officers of thoſe cities, boꝛoughs, & townes coꝛpoꝛate, where they keep Seſſions, to pꝛocead to the execution of the ſaid Act, and euery article thereof within the pꝛecincts of their liberties, at ſuch time & times, and ſo often as to them ſhall ſeeme meete, in as large and ample manner, as the Juſt. of Peace in any countie may doe. 39. El. 16. See Mault 6. &c. Foꝛ making of mault.

16 It is lawfull to the Maſter and Wardens of the company of Haberdaſhers within London, calling to them one of the company of Cappers, and another of the makers of Hats, as often as neede ſhall require, within the ſaid citie, oꝛ three miles compaſſe of the ſame, to ſearch all Cappers and makers of Hats, and the offendoꝛs, and defaults by them found, to coꝛrect and puniſh by fines and otherwiſe, as in like caſes they doe other offendoꝛs, & defaults within the ſaid company. And it is lawfull to all Maiors, Bailifs, and other head officers, in all other cities and towns coꝛpoꝛate, to doe the like. 8. El. 11. See Hats 3. Cappers. Hatters.

17 Foꝛ the authoꝛitie and dutie of euery Maioꝛ, Bailife, oꝛ other head officer of any citie, boꝛough, oꝛ towne coꝛpoꝛate, concerning the wages, oꝛder, direction, & reformation of labourers, artificers, ſeruants, and appꝛentices, within the limits of their iuriſdiction, by foꝛce of the ſtatute therefoꝛe pꝛouided 5. El. 4. S. Labourers &c. and Iuſt. of Peace 66. 67. 68. And all amerciaments, fines, iſſues, and foꝛfeitures, which Labourers. Seruants.

which ſhall grow by reaſon of any offences mentioned in the ſaid ſtatute, or any branch thereof, within any citie, or towne corporate, ſhall be leuied and receiued by ſuch perſons of the ſame citie or towne, as ſhall be appointed by the Maior or other head officer thereof, to the vſe or maintenance of the ſame citie or towne, in ſuch caſe as other amerciaments, iſſues, &c. haue béene vſed to be leuied and imployed within the ſame, by reaſon of any graunt or charter from the Quéene or of any her progenitors granted to the ſame citie or towne. 5. El. 4.

Tanners. 18 The Maior of London within the ſaid citie, and within three miles compas thereof, and all other Maiors, Bailifs, and other head officers of cities, boroughs, and townes within their ſeuerall iuriſdictions, ſhall inquire, heare, and determine all offences committed contrarie to the ſtatute prouided, 1. Iac. touching Tanners, Curriers, Shoomakers, and other artificers occupying the cutting of Leather. And alſo ſhall by their diſcretions, examine all perſons ſuſpected to offend the ſaid Acte, or any parcell thereof, and the third part of all penalties of ſummes of money forfeited by the ſaid Act, in any citie, borough, or towne, ſhall goe to the ſaid citie, borough, or towne, where the offence ſhall be committed. 1. Iac. 22. See Leather 45.

Liueries. Retainors. 19 The Maior, Shirife, Bailife, or other chiefe officer of euery citie, borough, towne, and port within this realme, hauing power to heare and determine perſonall pleas in the court holden before them, or any of them, within any ſuch citie, towne, &c. haue authoritie to receiue information of any perſons, which ſhall giue any liuerie or badge, or retaine any other, then his meniall ſeruant, officer, or learned man in the one law or other, by writing, oath, or promiſe, and of any perſon which ſhall be ſo retained, and to heare and determine as well by examination, as by triall, all things done concerning the ſame, by, or to the inhabitants within the iuriſdiction of the ſame court. And to put the ſtatute for theſe offences prouided in execution. And the King ſhall haue the one moitie of all penalties forfeited by the ſaid ſtatute. And the Informer and chiefe officer of ſuch citie, borough, &c. ſhall haue the other, equally to be deuided betwixt them. And the ſaid chiefe officers part, ſhall be imployed to the vſe of the ſaid citie, borough, &c. 8. Ed. 4. 2. See Liueries 5.

Preachers. 20 All and ſingular Maiors, Bailifs, and Juſtices of peace within any citie, borough, or towne corporate, in any parts within this realme, within the limits of their commiſſion, haue authoritie to inquire of all offendors againſt Preachers, and other Miniſters of the Church, and to heare and determine the ſame, and to ſet fines and amerciaments of the ſaid offendors, as in the ſtatute therefore prouided is limited. 1. M. 3. See Preachers 1. 2.

Vnlawfull games. 21 All Maiors, Bailifs, Shirifs, and other head officers, ſhall cauſe the ſtatute prouided againſt vnlawfull games, and for the maintenance of artillerie, to be openly proclaimed once euery quarter of a yeare in euery Market, holden within their ſeuerall iuriſdictions. 33. H. 8. 9. See Plaies &c. 6.

Maintenance of the Nauie. 22 Maiors, Shirifs, Bailifs, and other head officers in cities, and townes corporate, in their courts within the limits of their authorities, haue power to enquire, heare, and determine all and ſingular offences done in the land, or within any hauen or péere, contrarie to the ſtatute made 5. Eliz. (touching certaine politicke conſtitutions for the maintenance of the Nauie) and if any perſon ſhalbe preſented before them, within the limits of their authoritie, or any information giuen to the of any offendor of the ſaid Act: then they haue authoritie thereupon to make proces againſt the offendor, as is commonly vſed vpon indictments of treſpas. And if any be preſented, and afterward conuicted by confeſſion or otherwiſe, then he ſhal ſuffer no leſſe forfeiture or puniſhment, then in the ſaid Act is limited: for the leuying of which forfeiture, the ſaid Maiors, and other head officers within the limits of their authorities, haue power to make ſuch proces, as they ſhall thinke good by

their

their discretions. But the information at the parties suit shall be within one halfe yeare, and the information or presentment at the Quænes suit, shall be within one yeare after the offence committed, or els the same shall not bee of effect to put the partie to answer or losse. 5. El. 1. S. Fish daies. Ships 1. 2. 3. 4. 5.

23 Maiors, Shirifs, and Bailifs of cities haue authoritie to enquire, heare, and determine of all and singular offences committed contrarie to the statute prouided 37. H. 8. against Vsurie. 13. El. 8. S. Vsurie. Vsurie.

24 All Maiors, Sherifs, Bailifs, and other head officers of cities, boroughs, & townes corporate, within the limits of their commissions, as well within franchise as without, haue authoritie to examine, heare, enquire, and determine the defaults of such as shall attempt to sell any wines in grosse, or by retaile, contrarie to the statute prouided 28. H. 8. and to punish the offendors by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines 1. 2. Wines.

25 Maiors, Shirifs, Bailifes, or chiefe gouernours of such cities, or townes, where any carracke, galley, or shippe shall come to safe port, of any merchant strangers, their factors, atturneyes, or seruants, shall search, or suruey the bow-staues, brought, sent, or conueyed into this Realme by the said Merchants, &c. And shall assigne two expert men to search the said staues, which two men shall be sworne by the said Maior, &c. that they shall truely and indifferently marke the staues ý be not good and sufficient, that all people may haue knowledge of them. 12. Ed. 4. 2. 13. El. 14. S. Bowes 1. Searching and marking of bowstaues.

26 Maiors and Bailifs of cities, and boroughs within the same cities and boroughs, haue power to make execution of the statute of Northampton prouided 2. E. 3. against those which shall goe or ride armed. 2. Ed. 3. 4. 20. R. 2. 1. S. Armour 1. Riding armed

27 No great man, or any other by strength, or threats, shall disturbe or hinder free election to be made. West. 1. 3. Ed. 1. 5. But when any dignitie is void, they which haue the election, shall freely without threats of any secular power, intreatie, or oppression, proceed to their election, Artic. Cleri. 9. Ed. 2. 14. Free election.

1 What, Maiors and other head officers shall or may doe for the poore. S. Poore people 9, &c. And what for the punishment of vagabonds. S. Vagabonds &c. Poore people. Vagabonds.

2 For the authoritie of Maiors and other head Officers, concerning the restraining of vnlawfull games. S. Plaies &c. 5. 6. Vnlawfull games.

3 Where any Corporation or Company, or the head Officers of the same shall make forfeit, or bee punished for any particular persons offence, S. Leather 22. 29. Draperie 33. 43. 44. 110. Gold. 12. Coopers 7. Priuate offences.

4 It is Mortmaine for the chiefe Officer of a corporate towne, to purchase any land to the vse of the Corporation. S. Mortmaine 4. Mortmaine.

5 Maiors and other head Officers shall appoint expert men to search and seale Leather. S. Leather 22. 25. 26. Searchers of leather.

6 Maiors and head Officers of corporate towns, shall appoint certaine to search and seale cloth. S. Draperie 31. 32. Cloth searched.

7 How the chiefe Officer of any citie or towne, shall vse faultie cloth presented vnto him. S. Draperie 29. Faultie cloth.

8 How a head Officer shall vse those which shoot in Gunnes. S. Gunnes 11. Gunnes.

9 By what names the Physitions in London bee incorporate, what priuiledges they haue, and what they may doe, and that all Maiors and other Officers shall assist them. S. Physitions 1. 4. 5. 7. 10. Physitions.

10 The Maior & Wardens of the Shearmen of London may search the workmanship of Fustians and Clothes. S. Fustians 1. Fustians.

11 What the Wardens of Goldsmiths shall forfeit, if any worke by them touched and allowed for good, be after found deceitfull. S. Gold 12. Goldsmiths.

12 The chiefe Officer of any citie and towne, may search al Oyles brought into the same to be sold. S. Oyle 1. 2. Oyle.

13 The

Couerlets. 13 The Wardens and ſearchers of Couerlets within Yorke may ſearch in all Faires, from Trent Northward, for all Couerlets made within the countie of Yorke. S. Couerlets 3.

Hats. Couerlets. Dornicks. 14 The Maior, Recorder, &c. of Norwich, ſhall admit thoſe which ſhall make Hats, Coruerlets, and Dornickes within the Countie of Norf. &c. See Couerlets 5. Hattes 1.

Pewter. Braſſe. 15 The head Officers of corporat Townes, may appoint expert men to ſearch veſſell of Pewter and Braſſe. S. Pewterers 5.6.7.

An Officer no cuſtomer. 16 A common Officer in a corporat Towne, ſhall bee no Cuſtomer. S. Cuſtome 22.

Caters. 17 In what caſes the head Officers of Cities and Townes ſhall arreſt the Caters of Noblemen, and others. S. Purueiors 1.

Uniformity of cõmon prayer. 18 Head Officers of Cities &c. may inquire of the offences prohibited by the ſtatute made for the vniformitie of Common prayer. S. Sacraments 7.

Riots, Routs &c. 19 How Riots, Routs, and Aſſemblies made in Cities and corporat Towns ſhall be inquired of, and repreſſed. S. Riots 13.

Vnlawfull aſſemblies. 20 The duties of head Officers of Townes corporat, concerning the executing of the Statute prouided againſt vnlawfull Aſſemblies. S. Riots 16. 17. 20. 21. 24. 25. 26.

Vitailers. 21 Maiors, Bailifes, &c. of Cities and Boroughs, may order, reforme, and puniſh Vitailers. S. Vitailers 1. 4. 7.

Vitailes. 22 How the prices of Vitailes ſhall be aſſeſſed when any Vitailer is choſen to beare office in any corporat Towne. S. Vitailers 9.

Weights. Meaſures. 23 The authority of the head Officers of corporat Townes, in keeping, marking, viewing, and examining of Weights and Meaſures. S. Weights 7. 8. 10. 11.

Vintners. 24 The head Officers of corporat Townes, ſhall haue the moitie of the forfeitures of thoſe which ſell Wine in groſſe, contrarie to the prices aſſeſſed &c. S. Wines 2.

Wines. 25 Head Officers of corporat Townes may enter into a Marchants houſe which denyeth to ſell Wine at the price aſſeſſed, &c. and ſell and deliuer the ſame. S. Wines 4.

Wines. 26 None ſhall ſell Wines in Townes corporat, but by the aſſignement of the head Officers thereof. S. Wines 9.

Wines. 27 Head Officers of corporat Townes haue authoritie to aſſay Wines, and poure out the corrupt. S. Wines 15.

Muſters. 28 Where and before whom inhabitants in corporat Townes ſhal be charged to appeare at Muſters. S. Captaines 15.

Vnion. 29 There ſhalbe no vnion of any Church in a corporat Town, without the aſſent of the Maior and Comminaltie &c. S. Eccleſiaſt. 32.

Scauage. 30 No head Officer of a corporat Towne ſhall take Scauage, or Shewage of a Marchant for marchandizes cuſtomed &c. S. Marchants 2.

Parliament. 31 For the duty of head Officers of corporat Townes, about the electing and returning of Bourgeſſes of the Parliament. S. Parliament 5.6.

Recoueries. 32 For the force of recoueries, deeds inrolled, or releaſes in certain corporat towns. S. Women 5.

Fiſh. 33 Ordinances of corporations made for the reſtraint of any perſon to take, buy, or ſell Fiſh, ſhall be void. S. Fiſh 22.

Wales. 34 Corporat Townes in Wales may hold pleas, and determine actions, as in England. S. Wales 55.

Souldiers & Mariners. 35 Officers of corporat Townes may execute the Statute prouided for the reliefe of Souldiers and Mariners. S. Captaines 25.

Coroners.

ALl Coroners of Shires shall be chosen in the full Counties, by the Commons of the same Counties, of the most meete and worthie people, which may bee found in the same Counties to execute the said offices, and of the most sage & wise knights which doe best know, can, and will attend vnto the same office, and which will lawfully attach, & present the pleas of the Crowne, 3. Ed. 1. 10. Alwaies sauing to the king and other Lords which ought to appoint such Coroners their franchises, 28. Ed. 3. 6. But no Coroner shall be chosen, if he haue not sufficient land in fee in the same countie, whereof he may answere all people. 14. Ed. 3. 8. Who shall be Coroners, & by whom, and where they shal be chosen.

2 If any Coroners be aduertised by the Kings baylifs, or other honest men of the countrie, to come to those that bee slaine, suddainly dead or wounded, or to house-breakers, or to any place where Treasure is found, they shall immediately come, and forthwith command foure, fiue, or sixe of the next townes, that they appeare before them in such a place, and when they come, the Coroners vpon their oath shall enquire if they did know of the man that was killed, where hee was first slaine, whether in the field, or in the house, bed, tauerne, or in any companie, & who were there. 3. Ed. 1. Of what things Coroners shall inquire. Murder.

3 Likewise they shall inquire who were culpable, either of the act or force, and who were present, either men or women, and of what age they be, so they can speak and haue discretion: and they which be found guiltie by inquisition in the foresaid manner, shall be taken, deliuered to the Shirife, and committed to the gaole, and as many of them as be not found guiltie, shall be attached, vntill the comming of the Iustices, and their names inrolled. 3. Ed. 1. Inquirie of the offendors.

4 If any man be suddainly slaine, and found in the fields or woods, it is to bee considered whether hee were slaine there or not, if he were brought thither, their steps that brought him (if it may be) shall be followed, and so shal the tracke of horse and cart. And also it shall be enquired, if he that were slaine, were knowne, or vnknowne, and where he lodged the night before. And if any be found guiltie of the death of such, immediately the Coroners shall come to his house, and enquire what cattell he hath, and what corne in his grange, and what on the ground, and if he bee a free man, what free land he hath, and what it is worth by the yeare, beside the Lord of the fees seruice: but the land shall remaine in the K. hands, vntill the Lord of the fee hath made a fine for it. And when they haue inquired of all things, then they shall cause them to be priced, as if they should straightway bee sold, and then the bodie of him that is dead shall be buried. 3. Ed. 1. A man found slaine.

5 Moreouer, the Coroners shall inquire of them which be drowned, suddainly slaine, or strangled, by the signe of some hurt found vpon their bodies, or some other manifest token, and shall attach the finders, and all other in their companie. 3. Ed. 1. Suddenly slaine.

6 A Coroner ought to inquire of Treasure that is found, who were the finders, and who are suspected thereof, which may be gathered by some mans delicate liuing, & frequenting of Tauerns, which (vpon suspition) shall be attached by foure, or sixe, or mo pledges. 3. Ed. 1. Treasure troue.

7 If any be appealed of Rape, hee shall be attached by foure or sixe pledges, if the appeale be fresh, and the signe of truth apparant, or an open outcrie leuied: But if it be without any manifest token or outcrie, two pledges shall suffice. 3. Ed. 1. Rape.

8 Vpon appeal of Maihem, if the wounds bee mortall, they which be appealed, shall forthwith be apprehended, and kept vntill it be knowne whether hee that is hurt shall recouer or not: if he die, they shall be retained: if he liue, they shall be attached by foure or sixe pledges, according to the bignesse of the wound: if it be for a Maihem, then there shall be no lesse then foure pledges: if a small wound, two will serue. 3. Ed. 1. Maihem or wounding.

9 The

The length, breadth, and deepnes of wounds.

9 The length, breadth, and deepenes of all wounds ought to be viewed, & with what weapons, and in what part of the bodie the partie was hurt, and also how many wounds there be, how many be culpable, & who gaue the wound, all which things shall be inrolled in the Coroners roll. 3. Ed. 1.

Deodands.

10 Horses, Boats, Carts, commonly called Deodands, whereby any person shal perish, shall be valued and deliuered to the whole Townеship, which shall bee answerable therefore. 3. Ed. 1.

Wrecke of Sea.

11 Whosoeuer laieth hands vpon the wrecke of the sea, shall bee attached by sufficient pledges, the price of the wrecke shall be valued and deliuered to the town to answer &c. Officium Coronatoris. 3. Ed. 1. See Wrecke.

Coroners shall inquire and certifie at the Gaole deliuerie.

12 If any Coroner be remisse in viewing of a dead bodie murdred or slaine, and doe inquire of them that haue done the murder or death, of their abettors, or consentors, who were present thereat, and their names, or so found doe not inroll, certifie, and deliuer his inquisition to the Justices of the next gaole deliuerie in the Shire, where the Inquisition is taken, that the same Justices may proceede against such murderers, if they be in the Gaole, or else certifie the Inquisition into the Kings Bench, the said Coroner shall forfeit to the King for euery offence fiue pounds. 3. H. 7. 1.

Enquirie of escape of the murderer.

13 The Coroner vpon the view of the dead bodie, may inquire of the escape of the murderer, for if he doe the murder in the daie and escape, the towne shall be amerced. 3. H. 7. 1.

Recording euidence, and binding parties to giue it at the Gaole deliuerie.

14 Euery Coroner vpon any Inquisition before him found, whereby any person shall be indicted for murder or Manslaughter, or as accessarie to the same before the murder or manslaughter committed, shall put in writing the effect of the euidence giuen to the Jurie before him, beeing materiall. And he hath authoritie to bind all such by Recognisance or Obligation, as doe declare any thing materiall to proue the said murder or manslaughter, or to be accessarie to the same, to appeare at the next generall Gaole deliuerie to bee holden within the countie, citie, or towne corporate, where the triall thereof shall be, then and there to giue euidence against the partie so indicted at the time of his triall, and shall certifie as well the same euidence, as such bonds in writing which he shall take, together with the inquisition or indictment before him taken and found, at, or before the time of his said triall to be made. And if any Coroner shall offend in any thing to the contrarie, then the Justices of Gaole deliuerie of the Shire, Citie, Towne, or place where such offence shall be committed, vpon due proofe thereof by examination before them, shall for euery such offence, set such fine on such Coroner, as they shall thinke meete. 1. & 2. P. & M. 13. See Iustice of peace.

No fee where any person is slaine by misaduenture.

15 A Coroner, which vpon request to him made, to come and inquire vpon the view of any person slaine, drowned, or otherwise dead by misaduenture, doth not his office diligently vpon the view of such bodie, without any thing therefore taking, shall forfeit vl. s. 3. Edw. 1. 10. 1. H. 8. 7. See Iustice of peace 86. But a Coroner shall haue for his fee vpon enery Inquisition taken vpon the view of a bodie slaine xiy. s. iiij. d. of the goods and cattels of the murderer, if he haue any: and if hee haue no goods, the Coroner shall haue his fee of such amercement, as any Townеship shalbe amerced for escape of such murderer. 3. H. 7. 1.

The Coroners fee where any person is murdered.

The Shirife shal haue counter rolls with the Coroner.

16 The Shirife shall haue counter rolles with the Coroner, as well of appeales of Enquests, as of attachments, and other things which doe belong to this office, Westm. 1. 3. Ed. 1. 10. But no Shirife, Constable, Escheator, Coroner, or any other Bailife of the Kings shall hold pleas of the Crowne, Magna charta. 9. H. 3. 17.

Who ought to appeare vpon an Inquisition of a mans death.

17 Vpon the Inquisition to bee made by the Coroner of the death of a man, enery one of the age of xy. yeares, ought to appeare, except they haue a reasonable excuse of their absence. Marleb. 52. H. 3. 24.

18 If the death of a man (where the Coroners office is to make view and enquest) doth chaunce in any Countie where the kings house is, and within the verge, the Coroner of the same Countie shall be commaunded with the Coroner of the kings house, to execute his office, and to inroll it. And that thing that cannot be determined before the Steward, shall be remitted to the Common Law, so that Erigents, Outlawries, and Presentments shall be thereupon made to the Justices in their circuites, by the Coroner of the Countie, aswell as of other felonies done out of the verge. 28. Ed. 1. 3. But all Inquisitions vpon the view of persons slaine within any of the Kings palaces, or houses, or any other house, at such time as he shall be abiding in his royall person, shall be taken by the Coroner of the houshold of the King, or his heires, without adioyning of any other Coroner of any Shire, by the othes of twelue or more of the yeomen Officers of the Kings &c. houshold, returned by the two Clerkes Comptrollers, the Clerkes of the Checke, Clerkes Marshall, or one of them for the time being, of the foresaid houshold, to whom the said Coroner shall direct his precept, which Coroner &c. shall be assigned by the L. Steward for the time being. And the said Coroner shal from time to time for euer without delay, certifie vnder his Seale, and the seales of such persons as shalbe so sworne before him, al such Inquisitions, Indictments, and offices vpon the view of all dead bodies which shall be slaine within any of the kings palaces, or houses, or other house aforesaid, before the said Lord Steward, and in his absence, before the Treasorer, Comptroller, and Steward of the Marshalsey, or before two of them, whereof the said Steward of the Marshalsey to be one, and such Inquisitions and offices so certified, shall be taken as good to all intents, as any Inquisitions taken vpon the view of the bodie of any person being dead, by any Coroner of any Countie of this Realme hath been, or shall be adiudged. 33. H. 8. 12. S. Fighting 1.

Enquirie within the Verge.

Enquirie within the Kings house.

18 Two head Coroners for the bodie of the Shire of Chesshire shall be elected by vertue of the Kings writ de Coronatore eligendo, to be awarded out of the Exchequer of Chester, which Coroners shall be bound to sit with the Shirife at the Shire Courts, to giue iudgements vpon Outlawries, and to doe all other things that appertaineth. 33. H. 8. 13.

Coroners of Chesshire.

1 What euery Coroner which shall be absent from the assessing of the wages of the Knights of the Shire, shall forfait. S. Parliament 12.

2 What Coroners shall forfait if they do conceal, or will not arrest Felons when they may. S. Felonie 1.

3 Where the Coroners shall impanell a Iurie, of what sufficiencie the Iurors shall be, what issues they shall returne vpon them, and vpon what paine. S. Riots 7.

4 That there shall be two Coroners in euery of the xij. Shires in Wales, how they shall be chosen: Their office, and duetie. S. Wales 52.

Cosinage.

IN writs of Cosinage, Aiel, and Besaiel, the which be of the same nature that an Assise of Mortdauncester is, the same aunswer shall be allowed for the Tenant, that the Justices did allow him at the Common Law in Assise of Mortdauncester, viz. that the plaintife is not nert heire of the Auncestor, by whose death the land is demaunded, and that shall be inquired of by the Assise, and according to the Inquisition, iudgement shall be giuen. Westminster 2. 13. Ed. 1. 20.

Cottages, Inmates.

No new Cottage without foure acres of land.

NO perſon ſhall within this Realme of England, make, build, or erect, or cauſe to be made, builded, or erected, any manner of Cottage for habitation or dwelling, nor conuert or ordaine any building or houſing, made, or hereafter to be made, to be vſed as a Cottage for inhabitation or dwelling, vnles the ſame perſon do aſſigne & lay to the ſame cottage or buylding, foure acres of ground at the leaſt, to be accompted according to the Statut or ordinance de Terris menſurandis, being his or her owne freehold & inheritance, lying nereto the ſaid Cottage to be continually occupied and manured therewith, ſo long as the ſame cottage ſhalbe inhabited, vpon paine that euery ſuch offender ſhall forfait to the Quéene, her heires & ſucceſſors x. li. for euery ſuch offence. 31. Eliz. 7.

Vpholders of new Cottages.

2 Euery perſon which ſhall willingly vphold, maintaine, and continue any ſuch Cottage hereafter to be erected, conuerted, or ordeined for habitation or dwelling, whereunto foure acres of ground as is aforeſaid, ſhall not be aſſigned and layd, to be vſed and occupied with the ſame, ſhall forfait to the Quéene, her heires & ſucceſſors xl. ſ. for euery Moneth that any ſuch cottage ſhall be by him or them vpholden, maintained, and continued. 31. Eliz. 7.

Inmates.

3 There ſhall not be any Inmate, or more families or houſholdes then one, dwelling or inhabiting in any one Cottage, made, or to be made or erected, vpon paine that euery owner or occupier of any ſuch Cottage, placing, or willingly ſuffering any ſuch Inmate, or other familie then one, ſhall forfait to the Lord of the Léete within which ſuch cottage ſhall be x. ſ. for euery Moneth that any ſuch Inmate, or other family then one, ſhall dwell or inhabite in any one cottage as aforeſaid. 31. Eliz. 7. S. Iuſtices of peace 101. Leetes 15.

Cottages within corporate Townes

4 Prouided alwaies, that this ſtatute, or any thing therein contained, ſhall not be extended to any Cottage which ſhall be ordeined or erected, to, or for habitation or dwelling, in any City, Towne corporat, or auncient Borough or Market town within this Realme, nor to any Cottages or buildings, which ſhall be erected, ordeined, or conuerted, to, & for the neceſſarie & conuenient habitation or dwelling of any workmen, or laborers in any mineral workes, coale mines, quarries, or delues of ſtone, or ſlate, or in or about the making of Bricke, Tile, Lime, or Coales within this Realme, So as the ſame Cottage, or building be not aboue one mile diſtant from the place of the ſame mineral, or other workes, & ſhalbe vſed onely for the habitation & dwelling of the ſaid workmen: nor ſhal in any ſort preiudice, charge, or impeach any perſon or perſons, for the erecting, maintaining, or continuing of any ſuch Cottages, as are before in this Proniſo mencioned and ſpecified 31. Eliz. 7.

Cottages excepted.

5 This Act ſhal not extend to any Cottage to be made within a Mile of the Sea, or vpon the ſide of ſuch part of any Nauigable riuer where the Admirall ought to haue iuriſdiction, ſo long as no perſon ſhall therein inhabite but a Sailer or man of manual occupation, to or for making, furniſhing, or victualing of any Ship, or veſſell vſed to ſerue on the Sea, nor to any Cottage to be made in any Forreſt, Chaſe, Warren, or Parke, ſo long as no other perſon ſhal therin inhabite, but an Vnderkéeper or Warrener, for the kéeping of the Déere, or other game of Warren, nor to any Cottage heretofore made ſo long as no other perſon ſhall therein inhabite, but a common Heardman, or Shepheard, for kéeping the cattel or ſhéepe of a town, or a powre, lame, ſicke, aged, or impotét perſon, nor to any Cottage to be made, which for any iuſt reſpect vpon complaint to the Iuſtices of Aſſiſe, at the Aſſiſes, or to the Iuſtices of peace at the Quarter Seſſions, ſhall by their order entred in open Aſſiſes, or Quarter Seſſions, be decréed to cōtinue for habitation, for & during ſo long time only, as by ſuch decrée ſhalbe tollerated & limited. 31. Eliz. 7.

Couerlets.

NO perſon dwelling within the Countie of Yorke, or nigh vnto the ſame, ſhall make any Couerlets, or Couerings, to put to ſale, vnleſſe ſuch perſon be inhabiting within the Citie of Yorke, or within the Suburbes of the ſame, vpon paine of forfaiture of the ſame, or the value thereof. 34.H.8.10. Sale of Couerlets in Yorkſhire.

2 No perſon of the occupation of the handycraftes men of Couerlet makers, dwelling within the ſaid Citie of Yorke, or the Suburbes of the ſame, or elſwhere within the ſaid Countie, ſhall vſe the craft of hauking abroad in the Countrey to Villages and mens houſes, or go as haukers, or put to ſale any Couerlets in any other place, out of the ſaid Citie and liberties thereof, but onely in the open Markets and Fayres, vpon paine of forfaiture of the ſame Couerlets, or the value thereof. 34.H.8.10. No Couerlet maker in Yorkſhire ſhall go abroad.

3 The Wardens and Searchers of the occupation of Couerlet makers within Yorke, and their ſucceſſors, ſhall haue power to make ſearch in all Fayres and Markets, from Trent Northward within this Realme, for all ſuch Couerlets as ſhall be put to ſale not being full wrought, and made of ſufficient ſtuffe, or not conteining the Aſſiſe accuſtomed (viz. The beſt ſort ought to conteine in length iij. yards, and in breadth y. yards and a quarter at the leaſt: The ſecond ſort ſhould conteine in length iij. yards, and in breadth y. yards: And the loweſt or third ſort ſhould conteine in y. yards and a halfe in length, and in breadth one yard and three quarters.) And to ſeiſe and take the ſame as forfaited. The one moitie of which forfaitures, if it be in any Citie, Borough, or Towne corporat, to be to the Maior and Comminaltie, Bailife, Gouernor, or other Ruler and Comminaltie of euery ſuch Citie, &c. authorized to haue the ſame by graunt or preſcription, or otherwiſe lawfully: And the other halfe to ſuch perſon or perſons, as ſhall ſeiſe or ſue for the ſame by A. I. in any court of Record, wherein no W.P. or dilatorie plea ſhall be allowed. And if the ſaid forf. happen to be found or taken, out of any the ſaid Cities, Townes, or Boroughes, hauing no ſuch authoritie: Then the one moitie of the forfaiture ſhall be to the King, and the other to ſuch perſon and perſons as will ſue for the ſame in any of the kings Courts in forme aforeſaid. And when, and as often as the ſaid Searchers, or Wardens of the occupation of Couerlet makers of the ſaid Citie of Yorke, ſhal make ſearch in any Liberties or Franchiſes within the ſaid Countie, for any of the cauſes in this Act mencioned, Then and ſo often they ſhall require the head Officer of the ſaid Liberties or Franchiſes, or his deputie, to be ayding and aſſiſting, and alſo to goe with them to make the ſaid ſearch: And if the ſaid Officer, or his Deputie, vpon requeſt ſo made, refuſe, or will not ſo doe, then vpon ſuch deniall and refuſall, the ſame Searchers, or Wardens, ſhall make ſearch themſelues: Any thing in this Act &c. notwithſtanding. Prouided that the Lords of the ſaid Liberties and Franchiſes, where any ſuch ſearches ſhall be made by authoritie of this Act, ſhall haue ſuch fines and forfaitures, as of right they ought to haue by reaſon of any ſuch ſearches, in as large maner, as they ought to haue had, before the making of this Act. 34.H.8.10. Search for couerlets not wel wrought, or wanting aſſiſe. The aſſiſe of Couerlets.

4 But it ſhal be lawfull to euery perſon dwelling within the County of Yorke, to make Couerlets of what aſſiſe or ſtuffe they will for their owne vſe, or ſtore of their houſholds, or for their Lords, to whom they be Tenants. So that the ſame ſhall not be put to ſale. 34.H.8.10. Couerlets for certaine vſes excepted.

5 No perſon by himſelfe, or by his ſeruant, or Apprentice, ſhall make or worke any Felts, or thrommed Hats, or weaue, or make any Couerlets or Dornecks, or occupy, vſe, or exerciſe the Myſteries or occupations of making of Felts, or thrommed Hats, or weauing of Dornecke & Couerlets, or any of them within the citie of Norwich, or within the Countie of Norffolke, vnleſſe he or they that ſhall ſo Making of Couerlets &c. within Norwich, or Norf. &c.

Hats. Felts.

make or worke, any such Felts, or Hats, or so occupie the occupation or mysterie of making of Felts, or Hats, as aforesaid, within the said Citie or Countie, be licenced and admitted so to do, by the Maior, Recorder, Steward, and two Iust. of the peace of the said Citie, or by 4. of them, or that haue bẽn apprentice to the same occupation & mysterie of Felts, & Hats making, by the space of seauen yeares: and

Dornecks weauing.

in like case, vnlesse such person or persons that shall so make or weaue Dornecks, or so occupie the occupation or mysterie of Dornecks weauing within the said Citie or Countie, be licenced or admitted so to do, by the Maior, Recorder, Steward, and two Iust. of the P. of the said Citie, or by foure of them, or that haue bẽn apprentice to the said mysterie & occupation of Dornecks weauing, by the terme of vij. yeares: And vnlesse he or they that shall so make or weaue Couerlets, or so occupie the art or mysterie of Couerlets weauing or making, be licenced & admitted so to doe by the Maior, Recorder, Steward, & two Iust. of the P. of the said citie, or by 4. of them, or that haue bẽn apprentice to the occupation & mysterie of Couerlets weauing or making, by the space or terme of vij. yeares. 5. & 6. Ed. 6. 24.

Couerlets &c. shal be wouen in a corporat or Market towne.

6 No person or persons shall make any Felts or Hats, or weaue or make any Dornecks, or Couerlets, as aforesaid, or occupie, exercise, or vse the occupation, artes, or mysteries of making of Hats or Felts, or weauing, or making of Dornecks or Couerlets, or any of them, as aforesaid, in any place out of the said citie of Norwich within the said Countie of Nork. but onely in a corporat or Market towne, vpon paine of forfeiting, aswell the Felts, Hats, Dorneckes, & Couerlets, and euery of them, which shall be made, wrought, or wouen, contrarie to the tenor of this Act, or of any part or clause thereof, as also x. s. for euery halfe dozen of the said Felts or Hats, & of iij. l. iiij. s. for euery Couerlet, and of vj. l. viij. s. for euery vj. yards of Dornecks, so as is aforesaid, to be made, wouen, or wrought, contrarie to this Act. The one halfe of which forfeitures, to be to the king, his heires & successors: And the other halfe thereof, to the person or persons, that shall or will seise the same, or that will or shall sue for the same, or for any part thereof, in the kings Courts of Guild hall, within the said citie of Norwich, or in any other of the K. courts of Record within this Realme of England, by A. of detinue, debt, or I. wherein no E. W. P. or forreine plea, to the iurisdiction of the Court shall be alowed. 5. & 6. Ed. 6. 24.

7 Prouided alway, that all and euery such person or persons, as do now dwell, or hereafter shall dwell and exercise the mysterie of Dornecks and Couerlets making, within the Towne or Parish of Pulham in the said Countie of Nork. shall and may occupie and exercise the making of Dornecks, and Couerlets, within the said towne of Pulham, as they haue heretofore vsed to do: Any thing &c. notwithstanding. 5. & 6. Ed. 6. 24.

Officers taking money for admittance.

8 If the Maior, Recorder, Steward, or Iust. of the Peace of the said Citie, for the time being, or any of them, shall take any summe of money, or reward, for admitting of any person to occupie or vse any of the artes or mysteries aforesaid: For euery such time, and euery such case, the person so offending, shall lose and forf. v. pounds to the K. and I. that will sue for the same, as is aforesaid. 5. & 6. Ed. 6. 24.

Counterfeit letters and tokens.

WHosoeuer shall falsly and deceitfully, get into his hands or possession any money, goods, cattels, iewels, or other things of any other persons, by colour and meanes of a priuie token, or counterfeit letter, made in any other mans name, and that be proued by confession, or examination of witnesse, taken before the L. Chancelor, or before the K. Councell in the Starre Chamber, the Iust. of Assise in their circuits, the Iust. of peace in their generall Sessions, the Iustices of

any

any Citie or Towne corporat, or by action in any of the K. Courts of record: shall haue such correction by imprisonment of his bodie, setting vpon the Pillorie, or otherwise by any corporall paine (except death) as shall be vnto him adiudged, by the persons before whom he shal be conuicted, and besides the partie grieued shall haue such remedie by action, or otherwise, for the same money, goods, &c. as he might haue had, if this Act had neuer been made. 33. H. 8. 1. S. Iust. of Peace 54.

Coopers.

Iustices and head officers may set prices of vessels.

IF any Cooper do sell any Barrels, Kilderkins, Firkins, or other vessels, for Ale, Beere, or Hope, to be vttered therein, aboue such prices which shall be assessed by the I. of the peace of the Shire in their Sessions, or by the Maior, Bailife, or other head officer of the Citie, Borough, or Towne corporat, where the said vessels shall be made or suffered to be sold after proclamation thereof made, he shall forfeit for euery vessell sold at a greater price iij. s. iiij. d. to the K. and I. to be recouered by Action of debt, wherein no W. &c. E. P. &c. 8. Eliz. 9. S. Iustice of Peace 79. Corporations 12.

The contents of Ale and Beere vessels.

2 Euery Cooper shall make his vessels for Beere and Ale, of good and seasonable wood, & shall make a Beere barrell to containe xxxvj. gallons, a kilderkin for beere xviij. a firkin for beere ix. a barrell for Ale xxxj. a kilderkin for Ale xvj. a firkin for Ale viij. gallons of the K. Standard, or else he shall forfeit for euery vessell so not made xij. d. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. And no Cooper shall make any vessell for Beere or Ale, to be sold, of any greater or lesser number of gallons then is aforesaid, vnlesse he shall cause to be marked vpon euery such vessel the certaine number of as many gallons as it shal containe, that euery person may know the content. And if he marke not his vessell with his owne marke, he shall forfeit iij. s. iiij. d. 23. H. 8. 4.

Marking of vessels.

Diminishing of vessels.

3 Whosoeuer doth diminish any Barrell, Kilderkin, or Firkin, to the deceit of any other, by taking out the head, or any staffe from such vessell, shall forfeit iij. s iiij. d. be punished at the discretion of the head Officer, before whom the default shall be presented, and the vessell shall be burned. 23. H. 8. 4.

Vessels brought from beyond the Seas ganged

4 No Brewer shall sell, vtter, or put to sale any Beere or Ale in any Buttes, Pipes, Puncheon, Hogsheads, Tierces, or other such vessels brought from beyond the Seas, within the citie of London or suburbes of the same, or in any other place or places, within two miles compasse without the same suburbes, before the same shall be lawfully gauged, and the true content of euery such vessell set downe vpon the same, by the gallon appointed and allowed for Beere and Ale, according to the Standard, by the Master & Wardens of the mysteric of frœmen of the Coopers of the Citie of London, or their deputie or deputies: Nor shall sell, vtter, or put to sale any Beere, or Ale, in any such vessell, or vessels, in any other place or places within the Realme of England & Wales, before the same shall be lawfully gauged, & the true content of euery such vessell set downe vpon the same by the gallon aforesaid, according to the Standard, by such as by the statute in that behalfe made (Añ 23. H. 8. 4.) are to haue the gauging of barrels, kilderkins, & firkins, made for Beere or Ale to be put in, in such other place or places within the Realme of England and Wales, vpon paine to forf. all & euery such vessel & vessels wherein any beere or ale shal be vttered, sold, or put to sale, contrary to the true meaning hereof. And also all the beere or ale which shall be at the time of such vttering, selling, or putting to sale therin contained, to him or them that will seise the same, & vpon pain also to forf. for euery such vessel wherein beere or ale shalbe so vttered, sold, or put to sale x. s. to the K. & I. to be recouered by A. I. wherein no E. P. W. I. &c. 31. Eliz. 8.

See Corporations 15.

What shal be taken for the gauging of vessels.

5 There shall be taken for the gauging of euery such vessell within the Citie of London & suburbs of the same, & in euery place within two miles compasse with-

out the ſame ſuburbes, by the Maſter & Wardens of the myſterie of frẽmen of the Coopers of the Citie of London, for euery Butt j. ð. for euery Pipe j. ð. for euery Puncheon ob. for euery Hogſhead ob. for euery Tierce ob. & for euery other veſſell which ſhal at any time be brought into this Realme from any the parts beyond the Seas, wherein Bẽre or Ale ſhal be vttered, ſold, or put to ſale, within the Citie or ſuburbes, or any other place or places within iij. Miles compaſſe without the ſame ſuburbes, after like rates, & no more. And there ſhall be taken for the gauging of euery ſuch veſſell or veſſels in euery other place within the Realme of England & Wales, by ſuch perſon and perſons, as by the ſaid ſtatute made (Añ 23. H. 8. 4.) are appointed for gauging thereof, after ſuch like rates as are herein before appointed to be taken for gauging within the Citie of London & Suburbes of the ſame, & in other places within two Miles compaſſe without the ſame Suburbes. 31. Eliz. 8.

Brewers Engliſh and Stranger s.

6 This Act ſhall extend to euery perſon which ſhall vſe or occupie the myſterie of Brewing, aſwell Engliſh borne, as Strangers. And it ſhall be lawfull to euery perſon which ſhall haue authoritie by vertue of this Act to gauge any veſſell or veſſels by this Act, meant or intended to be gauged, to reteine euery veſſell which ſhal be gauged according to the meaning of this Act, vntill the money which ſhall be due for the gauging thereof, ſhall be truely ſatiſfied and paied. 31. Eliz. 8.

Retaining of the veſſels vntill the gauging money be paid

The warden of Coopers ſhall come to the Brewers houſe.

7 The Maſter and Wardens of Coopers aforeſaid, or their ſufficient deputie or deputies, within the ſpace of xlviij. houres, next after any reaſonable requeſt to them, or any of them made, ſhall come to any Brewer or Brewers houſe, or other place in the ſaid Citie of London, or ſuburbes thereof, or two miles diſtance of the ſame, whereas their caſkes ſhall be, and there with all reaſonable erpedition, ſhall gauge & marke the ſame caſkes and euery of them, vpon paine for euery default, to forfeit to the party, by or for whom ſuch requeſt as aforeſaid ſhal be made, the ſumme of xx. ſ. to be had & recouered by the ſaid partie againſt the Corporation of Coopers aforeſaid, by action of debt in any of her Ma. Courts of Record at Weſtñ, or elſewhere, in which action no E. P. or W. &c. ſhall be admitted or allowed. 31. Eliz. 8.

Veſſels filled with Bere vngauged,

8 If any Scottiſh man, or any Stranger, ſhal bring from Scotland, or from beyond the Seas to the ſaid Brewers, or any of them, any maner of forrein caſkes, & ſhall require to haue Bere put in the ſame, & will tranſport the ſame Bere from hence, either into Scotland, or ouer the Seas there to be drunke, then in euery ſuch caſe it ſhal & may be lawfull to and for the ſaid Brewers, or any of them, to fill all ſuch caſks with bere, at ſuch a rate & reckoning, as he & his Merchant can agree, without hauing the ſaid caſks, or any of them gauged or marked as is aforeſaid, & without incurring any penaltie therfore: this Act &c. notwithſtanding. 31. Eliz. 8. 1. Iac. 25. This Act to continue to the end of the firſt ſeſſion of the nert Parliament.

1 No Ale or Beere Brewer ſhall occupie the myſterie of Coopers. S. Brewers 1.

Countie, or Shire Court.

Countie courts ſhall be kept monethly.

NO Countie Court ſhall be longer deferred, but from one Moneth to an other, and the ſaid Court ſhall be kept euery Moneth, and none otherwiſe. Magna Char. 9. H. 3. 35. 2. Ed. 6. 25. And in like ſort ſhall the Countie Courts in the vj. Shires in Wales, and in the Countie of Monmouth, be kept. 34. H. 8.

In what townes the ſhire Courts of ſeuerall Shires ſhall be kept.

2 The Shirife of the Countie of Northumberland ſhal kepe the County court of that Shire in the towne or caſtle of Alnewike, & in none other place. 2. Ed. 6. 25. The Shire Court for the Shire of Suſſex, ſhall be kept one time at Chicheſter, and an other time at Lewes, alternis vicibus for euer. And if any Shire Court be holden to the contrarie, all things therein done ſhall be void. 19. H. 7. 25. The Shirife of the Countie of Cheſter is bound to kepe his Shire Court in the Shire hall of the ſaid Countie. 33. H. 8. 13. And the Sheriffes Shire Courts in Wales

Wales.

of the

of the Countie of Brecknock, ſhall be holden at Brecknock, Of Radnor, at new Radnor, and Preſton, Of Mountgomerie, at Mountgomerie and Paghenleth, Of Denbigh, at Wirrham, Of Monmouth, at Monmouth and Newport, alternis vicibus. An 27. H. 8. 26.

1 Within what times Sherifes in Wales ſhall keepe their Countie Courtes and Hundreds, and what fees they ſhall take therein. S. Wales 41.

Courts.

ALl and euery ſuit and ſuites, which hereafter ſhall be had, made, or taken, of, for, or vpon any debt, or dueties, which heretofore hath growne or bẽ due, or that hereafter ſhall grow or be due to the King in the ſeuerall offices & Courts of his Eſchequer, Duchie of Lancaſter, Maſter of the Wardes and Liueries, or in any of them, or by reaſon or authoritie of any of them, ſhall be ſeuerally ſued in ſuch one of the ſaid Courts, & Offices, in the which Court & Office, or by any occaſion of the which Court & office, the ſame debt or dutie did firſt grow or become due, or hereafter ſhall grow or become due, or in the which Office or Court the Recogniſance, obligation, or ſpecialties, is, or ſhall be or remaine: & euery ſuch ſeuerall ſuit & ſuits, ſhalbe made in euery of the ſaid ſeuerall Offices & Courts vnder the ſeuerall Seales of the ſaid ſeueral Courts, by Capias, Extendi facias, Subpena, Attachment, & proclamation of alleageance if nẽd ſhall require, or any of them, or otherwiſe, as vnto the ſaid ſeuerall Courts ſhal be thought, by their diſcretions, expedient for the ſpẽdy recouerie of the K. debts. And the ſaid Court of Exchequer, & all and euery of the ſaid Courts, ſhall haue whole & full authoritie, & power, to heare & determine all & euery ſuch ſuit & ſuits, as ſhalbe taken, commenced & purſued for the intent aboue ſpecified, & thereupon to award, make & do execution, by & vpon the bodie, lands, & gods, of the party or parties that ſo ſhalbe condemned accordingly: And alſo ſhall haue full power & authoritie to heare & determine all & all maner of debts, detinues, treſpaſſes, accompts, reckonings, waſts, diſceipts, negligences, defaults, contempts, complaints, riots, quarrels, ſuites, ſtrifes, controuerſies, forfeitures, offences, & other things whatſoeuer they ſhall be, which hereafter ſhall grow, be moued, ſtirred, procured, or ariſe, in, for, or vpon any matter, cauſe, or other thing, aſſigned, committed, or appointed, or hereafter to be aſſigned, committed, or appointed to the ſeuerall directions, orders, & gouernances of the ſame Courts, or any of them, or, for, or vpon any maner of thing or things, which may or ſhall touch, or in any wiſe concerne the ſame, wherein the King ſhall be onely partie: And alſo all maner of eſtates for terme of yeares betwæne partie and partie, concerning the premiſſes: and to correct and punith by their diſcretions, all and euery perſon and perſons, which before them ſhall be conuicted of any of the premiſſes, according to the nature, qualitie, and quantitie, of his or their offence or offences, cauſe, or cauſes, matter, or matters (all, and all maner of Treaſons, Murders, Felonies, eſtates, rights, titles, and intereſtes, aſwell of inheritances as of freehold, other then Jointures for terme of life onely excepted, and alwaies reſerued.) 33. H. 8. 39.

Suits for the K. debts ſhal be in the courts where they ſhall be due.

The authoritie of the Courts of Exchequer, wards, and Duchie.

2 Euerie of the ſaid Courts ſhall haue full power and authoritie, to ſet ſuch fines, penalties, and amerciaments vpon parties, Sheriſes, Officers, and other perſons, for his and their defaults, contempts negligences, or miſdemeanors, as vnto the ſaid Courts or vnto any of them, ſhalbe reaſonably conſidered & thought expedient. And all and euerie triall and trials of all and all maner of ſuits, bills, plaints, informations, declarations, complaints, aunſweres, replications, allegations, cauſes, matters, and iſſues, or any of them, to be purſued, made or tried in the ſaid ſeuerall Courts, or any of them, ſhall be made and tried by due exami-

Amercing of offendors.

Trials.

nati-

nation of witnesse, writings, proofs, or by such other waies or meanes, as by the said seuerall Courts, or by any of them, shall be thought expedient: And all and euery such iudgement & iudgements, decrée or decrées, examination and examinations, shall be good, perfect, and in full strength, force, and effect in the Law to all intents and purposes. 33.H.8.39.

Discharging of Recognisances.

3 The same seuerall head officers, for the time being, in euerie of their said seuerall Courts, shall haue full power & authoritie, to discharge, cancell, & make void, by his or their discretion, all & singular recognisances made in the said Court, for any apparance, or other contempt: And the same head officer or officers, & the parties so bounden and to be bounden to be discharged against the K. his heires, executors, and successors, for the cancellation of the same recognisance. 33.H.8.39.

The Court of Starre Chamber.

4 The Chauncelor and Treasorer of England for the time being (and the President of the K. Counsell, & the keeper of K. priuie seale, or two of them 21.H.8.20.) calling to them a Bishop, & a temporall Lord of the K. most honorable counsel, & the two chiefe Justices of the K. Bench and common place, for the time being, or other two Justices in their absence, vpon B. or I. put to the said Chauncellor for the K. or any other, against any person, for any misbehauing, by vnlawful maintenances, giuing of liueries, signes, and tokens, retainders by indentures, othes, writings, or otherwise, imbracerie of the K. subiects, vntrue demeanings of Sheriffes in making of panels, and other vntrue returnes by taking of mony, by iniuries, by great riots & vnlawfull assemblies, haue authoritie to call before them by writ, or by priuie seale the said misdoers, & they, and other by their discretion, by whom the truth may be known, to examine, & such as they find therin defectiue to punish them after their demerites, after the forme & effect of statutes thereof made in like maner and forme as they should and ought to be punished, if they were thereof conuict, after the due order of the Law. 3.H.7.1.

Common Pleas.

5 Common Pleas shall not follow our Court, but be holden in a place certaine. Mag. char. 9. H.3. 11. No common plea shall be holden in the Exchequer. Artic. super Chartas. 28.E.1.4.

Præcipe in capite.

6 The writ that is called (Præcipe in capite) shal be granted to no man of any freehold, whereby any free man may lose his Court. Mag. Char. 9.H.3.11.

Crowne, King, Queene.

The Q. enioyeth all regall power as King.

THe Law of this Realme is, & euer hath been, & ought to be vnderstanded, that the Kingly or Regall office of this Realme, and all dignities, prerogatiues, royall power, preheminences, priuiledges, authorities, & iurisdictions, thereunto annexed or belonging, being inuested, either in male or female, are, and be, & ought to be, as fully & intirely accepted, inuested, & taken in the one as in the other, so that what, or whensoeuer statute or law doth appoint, that the K. of this Realme may or shall haue, execute, & do any thing as King, or doth giue any commoditie to the K. or doth appoint any punishment for the correction of offendors against the Regalty & dignity of the K. or of the Crowne, the same the Q. (being supreame gouernelle, possellor, & inheritor to the Imperiall Crowne of this Realme, as our soueraigne Lady the Q. most iustly presently is) may by the same authoritie likewise haue, exercise, execute, correct, and do, to all intents, without doubt or question. 1.M.2. Parl.1.

All forreine power abolished.

2 No forreine Prince, Person, Prelate, State, or Potentate, spiritual or temporal, shall vse, enioy, or exercise, any maner of power, iurisdiction, superiority, authoritie, preheminence, or priuiledge Spiritual or Ecclesiastical, within this Realme, or within any other the Quenes dominions that now be, or hereafter shall be, but the same shall be clerely abolished out of all her Dominions for euer. 1.Eliz.1.

3 Such

3 Such Iuriſdictions, priuiledges, ſuperiorities, and preheminences, ſpirituall, as by any ſpirituall power hath heretofore been, or may lawfully be vſed for the viſitation of the Eccleſiaſticall ſtate and perſons, and for reformation, order, & correction of the ſame, and of all maner errours, hereſies, ſchiſmes, abuſes, offences, contempts, and enormities, ſhall for euer be vnited to the imperiall Crowne of this Realme. And the Quæne, her heires and ſucceſſors Kings and Quænes of this Realme, ſhall haue full power by letters patens, vnder the great ſeale of England, to name & authorize, when, as often, & for ſo long time, as her Highneſſe, her heires or ſucceſſors, ſhall thinke meet, ſuch perſon or perſons (being naturally borne ſubiects to her grace, her heires and ſucceſſors) as ſhe or they ſhall thinke meete, to occupie and execute vnder her &c. all maner iuriſdictions, priuiledges, and preheminences, in any wiſe concerning any ſpirituall iuriſdiction, within England, and Ireland, or any other the Quænes dominions, and to viſit, reforme, order, correct, and amend, all ſuch errors, hereſies, ſchiſmes, abuſes, offences, contempts, and enormities, which by any Eccleſiaſticall power, may lawfully be ordered, corrected, or amended, to the pleaſuer of God, the increaſe of vertue, and the conſeruation of the peace, and vnitie of this Realme. And ſuch perſon or perſons ſo authorized by the Quæne &c. after the ſaid letters patents to him or them deliuered, ſhall haue authoritie by vertue of this act, and of the ſaid letters patents vnder the Quænes &c. to vſe and execute all the premiſſes, according to the tenor and effect of the ſaid Letters patents, &c. Prouided alwayes, that ſuch perſon or perſons to whom the Quæne her heirs or ſucceſſors, ſhal by Letters patents vnder the great Seale of England, giue authoritie to haue or execute any iuriſdiction, power, or authoritie Spirituall, or to viſit, reforme, order, or correct, any errours, hereſies, ſchiſmes, abuſes, or enormities, by vertue of this act, ſhal not in any wiſe haue authoritie, or power, to order, determine, or adiudge any matter or cauſe to be hereſy, but only ſuch as heretofore haue beene determined, ordered, or adiudged to be hereſie, by the authoritie of the Canonicall Scripture, or by the foure firſt generall counſels, or any of them, or by any other generall counſell, wherein the ſame was declared hereſie by the expreſſe and plaine words of the ſaid Canonicall Scriptures, or ſuch as hereafter ſhall bee ordered, adiudged, or determined to be hereſie, by the high Court of Parliament of this Realme, with the aſſent of the Clergie in their Conuocation: Any thing &c. notwithſtanding. Prouided alſo that no maner of order, act, or determination, for any matter of religion, or cauſe Eccleſiaſticall, had or made by the authoritie of this Parliament, ſhalbe accepted, deemed, interpretate, or adiudged, at any time hereafter, to be any errour, hereſie, ſchiſme, or ſchiſmaticall opinion, any order, decree, ſentence, conſtitution, or law, whatſoeuer the ſame be to the contrary notwithſtanding. 1. Eliz. 1.

Eccleſiaſtical Iuriſdictions annexed to the Crowne.

Commiſſioners in caſes of Religion.

What may be adiudged hereſie.

What may not be adiudged hereſie.

4 Euery perſon hereafter particularly named, ſhal make, take, and receiue a corporal oath vpon the Euangelicks, according to the tenor and effect following, before ſuch perſons, at ſuch places, and in ſuch times as be hereafter ſpecified.

The oath.

I A. B. doe vtterly teſtifie, and declare in my conſcience, that the Quænes Highneſſe is the onely ſupreame Gouernour of this Realme, and of all other her Highneſſe Dominions and Countries, as well in all Spirituall, or Eccleſiaſticall things or cauſes, as Temporall. And that no forraine Prince, Perſon, Prelate, State, or Potentate, hath, or ought to haue any iuriſdiction, power, ſuperiority, preheminence, or authority, Eccleſiaſticall or Spirituall within this Realme: and therefore I doe vtterly renounce and forſake all forraine Iuriſdictions, Powers, Superiorities, and Authorities, and do promiſe, that from henceforth I ſhall beare faith and true allegeance to the Quænes Highneſſe, her heires, and lawfull ſucceſſors, and to my power ſhall aſſiſt and defend all Iuriſdictions, Priuiledges, Preheminences, & Authorities, graunted or belonging to the Quænes Highneſſe, her heires,

heires, and ſucceſſors, or vnited & annexed to the Imperial Crown of this Realme, ſo helpe me God, and by the contents of this boke. 1. Eliz. 1.

These persons shall take the Oath.

5 All and euery Archbiſhop, Biſhop, and euery other Eccleſiaſticall perſon and Eccleſiaſticall Officer or Miniſter, and euery Iudge, Iuſtice, Mayor, and other lay or temporal Officer, and euery other perſon hauing the Quéenes fée, or wages, within any her Dominions, ſhall receiue the ſame Oath before ſuch perſon or perſons, as it ſhall pleaſe the Qu. &c. vnder the great ſeale of England, to aſſigne to take the ſame. And euery perſon that at any time ſhall be preferred &c. to any Archbiſhoprick, or Biſhoprick, or to any other Eccleſiaſticall Benefice, Promotion, Dignitie, Office, or Miniſterie, or that ſhall be by the Quéene preferred to any Temporall or lay Office or Miniſterie, or Seruice, within any her Dominions, before he ſhall take vpon him to receiue, vſe, exerciſe, ſupply, or occupie any ſuch Archbiſhoprick, Biſhoprick, Promotion, Dignitie, Office, &c. ſhal receiue the ſame Oath before ſuch perſons as ſhall haue authority to admit any ſuch perſon to any ſuch Office &c. or els before ſuch perſon &c. as by the Q. &c. vnder the great Seale ſhall be aſſigned to miniſter the ſaid Oath: And euery perſon Temporall, ſuing Liuerie, or Ouſter le maine, out of the hands of the Q. &c. before his Liuerie or Ouſter le maine, ſued forth & allowed: And euery temporall perſon doing any homage to the Qu. &c. or that ſhalbe receiued into ſeruice with her &c. ſhall take the foreſaid corporal Oath, before the Lord Chancellor, or Lord Keeper &c. or before ſuch perſon &c. as by the Qu. &c. ſhalbe appointed to receiue the ſame. And euery perſon taking Orders, and euery other perſon which ſhalbe preferred to any degrée of Learning, in any Vniuerſitie within this Realme, or Dominions, before he ſhal receiue ſuch Orders, or be preferred to ſuch degrée of Learning, ſhall take the foreſaid Oath before his Ordinarie, Commiſſarie, Chauncellor, or Vice-Chauncellor, or their ſufficient Deputie in the ſaid Vniuerſitie. 1. Eliz. 1. And all other perſons which haue taken, or ſhall take Orders, commonly called Ordines ſacros, or Eccleſiaſticall Orders, haue béene, or ſhall be preferred, or admitted to any degrée of Learning, in any Vniuerſitie within this Realme, or Dominions to the ſame belonging. And all Schoolemaſters, publike and priuat teachers of children, as alſo, all perſons that haue taken or ſhall take any degrée of Learning, in, or at the common lawes of this Realme, as well vtter Barreſters, as Benchers, Readers, Auncients in any Houſe or Houſes of Court, and all principall Treaſurers, and ſuch as be of the Graund Companie in euery Inne of Chauncerie. And all Atturneies, Prothonotaries, and Philizers, towards the Lawes of this Realme, and all manner of Sheriſes, Eſcheators, and Feodaries, and all other perſon and perſons, which haue taken, or ſhall take vpon him, or them, or haue béen, or ſhall be admitted to any Miniſterie, or Office, in, at or belonging to the common Law, or any other Law, or Lawes, or to or for the execution of them, or any of them, vſed, or allowed, or at any time hereafter to be vſed or allowed within this Realme, or any other the Dominions or Countries belonging, or which hereafter ſhall happen to belong to the Crowne or Dignities of the ſame. And all other Officers and Miniſters of, or towards any Court whatſoeuer, and euery of them ſhall take and pronounce a corporal oath vpon the Euangeliſts, before he or they ſhall be admitted, allowed, or ſuffered to take vpon him, or them, to vſe or occupie any ſuch Vocation, Office, Degrée, Miniſterie, Rome, or Seruice, as is aforeſaid, and that in the open Court, whereunto he doth or ſhall ſerue, or belong. And if he do not, nor ſhall not ſerue nor belong to any open Court, then he ſhall take the Oath aforeſaid in an open place, before a conuenient aſſembly, to witneſſe the ſame, and before ſuch perſon or perſons, as haue authoritie by common vſe, or otherwiſe, to admit or call any ſuch perſon to any ſuch vocation, rome, or ſeruice, or elſe before ſuch, as by the Quéenes Commiſſion, vnder the great Seale ſhall be aſſigned

to

to accept the ſame, accoꝛding to the tenoꝛ, effect, and foꝛme of the ſame Oath, Verbatim. Euery perſon which ſhall be elected oꝛ appointed a Knight, Citizen, oꝛ Burgeſſe, oꝛ Baron, foꝛ any of the fiue Poꝛts foꝛ any Parliament, ſhall befoꝛe he ſhall enter into the Parliament houſe, oꝛ haue any voice there, openly receiue and pꝛonounce the ſaid Oath befoꝛe the Loꝛd Steward, oꝛ his Deputie oꝛ Deputies appointed. And he which ſhall enter into the Parliament houſe without taking the ſaid Oath, ſhall be deemed no Knight, Citizen, Burgeſſe, noꝛ Baron foꝛ the Parliament, noꝛ ſhall haue any voyce, but ſhall be to all intents, as if he had neuer beẽ returned, noꝛ elected Knight, Citizen, Burgeſſe, oꝛ Baron foꝛ the Parliament, and ſhall ſuffer ſuch paines and penalties, as if he had pꝛeſumed to ſit in the ſame, without Election, Returne, oꝛ Authoꝛitie. And euery Archbiſhop and Biſhop haue power to tender the Oath afoꝛeſaid to euery oꝛ any Spirituall perſon within his pꝛoper Dioces, aſwell in Juriſdiction ꝛc. exempt, as elſewhere. 5. Eliz. 1.

To whom Biſhops may tender the oth.

6 If any perſon appointed, oꝛ compellable by either of the Acts made Anno 1. Eliz. & 5. Eliz. to take the ſaid Oath, oꝛ any perſon to whom the ſaid Oath ſhall be tendered by others, hauing thereunto authoꝛitie by Commiſſion directed vnto them by the Loꝛd Chauncelloꝛ, ꝛc. oꝛ Loꝛd Keꝑer, vnder the great Seale of England (which without further warrant hath authoꝛitie to direct ſuch Commiſſion) ſhall at the time of the ſaid Oath ſo tendered, refuſe to take oꝛ pꝛonounce the ſame in maner and foꝛme afoꝛeſaid, then the partie ſo refuſing, and being thereof lawfully indicted, oꝛ pꝛeſented, within one yeare next after any ſuch refuſall, oꝛ conuicted, oꝛ attainted at any time after, accoꝛding to the Law, ſhall ſuffer & incurre the paines, penalties, and foꝛfeitures, pꝛouided by the Statute of Pꝛouiſion and Pꝛemunire, made 16. R. 2. 5. Eliz. 1.

The puniſhment of the refuſall of the Oath.

7 All and euery ſuch perſon and perſons, hauing authoꝛitie to tender the Oath afoꝛeſaid, ſhall within 40. dayes next after ſuch refuſall of the ſaid Oath, if the Terme be then open: and if not, then at the firſt day of the full Terme next following the ſaid 40. dayes, make true Certificat vnder his oꝛ their ſeale oꝛ ſeales, of the name, oꝛ names, places, and degrées, of the perſon, oꝛ perſons, ſo refuſing the ſame Oath, in the Kings Bench, vpon paine that euery of the ſaid perſons hauing ſuch authoꝛitie, making default of ſuch Certificat, ſhall foꝛ euery ſuch default foꝛfeit 100. li. to the Qu. ꝛc. And the Shirife of the County where the kings Bench ſhall be holden, ſhall, oꝛ may empanell a Jurie of the ſame Countie, to inquire of euery ſuch refuſall: which Jurie ſhall and may vpon euery ſuch Certificat & other euidence to them giuen, indict the offendoꝛ, in ſuch ſoꝛt, as they may doe, of any offence committed againſt the Q. peace, within the ſame Countie ꝛc. 5. Eliz. 1.

Certificat of the refuſall in the Kings Bench.

8 If any of the perſons appointed by this Act to take the Oath afoꝛeſaid, do after the ſpace of 3. Moneths next after the firſt tender therof, the ſecond time refuſe to take and pꝛonounce, oꝛ doe not take oꝛ pꝛonounce the ſame, in foꝛme afoꝛeſaid to be tendered: then euery ſuch offendoꝛ, foꝛ the ſame ſecond offence, ſhall foꝛfeit and ſuffer ſuch like, and the ſame paines, foꝛfeitures, iudgements, and executions, as is vſed in caſes of high Treaſon. But this Act ꝛc. oꝛ any attainder to be had by foꝛce thereof, ſhall not extend to make any coꝛruption of bloud, the diſinheriting of any heire, foꝛfeiture of dower, noꝛ to the pꝛeiudice of the right oꝛ title of any perſon other then of the offendoꝛ, during his naturall life onely. And it ſhall and may be lawfull to euery perſon and perſons, to whom the right oꝛ intereſt of any lands, tenements, oꝛ hereditaments, after the death of any ſuch offendoꝛ, ſhould oꝛ might haue appertained, if no ſuch attainder had beẽ, to enter into the ſame, without any Ouſter le maine to be ſued, in ſuch ſoꝛt as he oꝛ they might haue done, if this Act had neuer beẽ made. 5. Eliz. 1.

The ſecond refuſall of the Oath.

9 This Act ſhall not extend to compell any Tempoꝛall perſon, of, oꝛ aboue the

Barons.

the degree of a Baron of this Realme, to take or pronounce the Oath aforesaid, nor to incurre any penaltie limitted by this Act, for not taking or refusing the same. 5. Eliz. 1.

Who shal take the Oath vpō the second tender.

10 No person shalbe compelled by vertue of this Act to take the Oath aboue mentioned, at the second time of offering the same, according to the forme appointed by the Statute, except he hath bēn, is, or shall be an Ecclesiasticall person, that had, hath, or shall haue in the time of one of the Raignes of the Quēnes father, brother, or sister, or in the time of the Raign of the Quēne, her heirs, or successors, charge, cure, or office in the Church, or such persons, as had, hath, or hereafter shall haue any Office or Ministerie in any Ecclesiasticall Court of this Realme, vnder any Archbishop, or Bishop, in any the times or raignes aforesaid, or such as shall wilfully refuse to obserue the orders for diuine seruice, that be authorized to be vsed and obserued in the Church of England, after that he shalbe publikely by the Ordinarie, or some of his Officers, for Ecclesiasticall causes admonished to kēpe and obserue the same, or such as shall openly & aduisedly deprаue by words, writings, or any other open fact, any of the Rites and Ceremonies, at any time vsed, and authorized to be vsed in the Church of England, or that shall say or heare the priuat Masse prohibited by the Lawes of this Realme. And all such persons shall be compellable to take the oth vpon the second tender of the same, & incurre the penalties for not taking of the said oath, and none other. Aō 5. Eliz. 1.

The exposition of the oath.

11 The Oath expressed in the said Act made 1. Eliz. shalbe taken and expounded in such forme, as is set forth in an admonition annexed to the M. Iniunctions, published Aō 1. of her Raigne, viz. to confesse and acknowledge in her, her heires, & successors, none other authoritie then that, which was challenged and lately vsed by King H. 8. and King Ed. 6. 5. Eliz. 1.

Earledome of March.

12 All Feoffements, Gifts, Graunts, Demises, Presentments, Nominations, & all other Writings, whereof sealing is requisite to be made, of any parcell of the Earledom of March, shall be had, done, & made by the King vnder the great Seale of his Chancery, as it is vsed in all other writings concerning the Crowne, by the course of the Common Law, and by none other Seale. 4. H. 7. 14.

1 Seuerall Assurances, Limitations, and Recognitions of the title to the Crown of England &c. Anno 7. H. 4. 2. Anno 25. H. 8. 22. An. 28. H. 8. 7. An. 35. H. 8. 1. Anno 1. Eliz. 3. Anno 1. Iac. 1.

2 For the Prerogatiues and Preheminences of the Crowne, King, and Queene. S. Prerogatiue 1. &c.

3 For all Bonds made to the King, and how he shall be answered all his Debts, Duties, Accounts &c. S. Accomptants &c. 1. &c.

4 The Commissioners of Sewers Decree shall bind the Kings landes. See Sewers 8.

5 The force of a fine lenied by tenant in taile, whereof the Reuersion or Remainder is in the King. S. Fines 17.

6 The Force of a Recouerie of lands entailed, whereof the Reuersion or Remainder is in the King. S. Recouerie 2.

7 No costes shall be recouered in a suit pursued to the Kings vse, though the verdict passe against the plaintife. S. Dammages 9.

8 The Kings children borne beyond the Seas, are inheritable in England. S. Abilitie 1.

9 The validitie of writings made in the name of the raigne of any other then the lawfull Queene. S. 1. M. 4.

10 Who shall haue the Iewels of the Crowne. S. 1. H. 6. 5.

11 Accusing the Queene. S. 33. H. 8. 21.

Custos

Custos Rotulorum.

THe Chancellor of England, or Lord Keeper of the great Seale for the time beeing shall from time to time without any bill to be assigned with the Kings hand, name and appoint such person to be Custos Rotulorum, within euery Shire of this Realme of England, Wales, and other the Kings Dominions, Marches, and Territories of the same, as by the discretion of the Lord &c. shall be thought méete to haue and exercise the same. And the said person so appointed, shall and may exercise and enioy the same Office of Custos Rotulorum by himselfe, or by his sufficient Deputie or Deputies. 3. Ed. 6. 1. The Lord Chancelor shall appoint the Custos Rotulorum.

2 But the Bishops of Yorke, of Durham, of Ely, and euery of their successors, the Chauncelor of the Dutchie of Lancaster for the time beeing, and euery person, corporation, and bodie corporate, which haue authoritie, by lawfull meanes, to ordaine any of the said Offices of Custos Rotulorum within any place, shal and may enioy the same authoritie, according as they haue had the same, this Act &c. notwithstanding. 3. Ed. 6. 1. These may appoint the Custos Rotulorum.

Customes, Subsedies, Customers, Controllers and Searchers.

ANNO 1. Iacob. 33. there was graunted to the King during his life a Subsedie of Tonnage, that is to say, Of euery Tonne of Wine that is or shall come into this Realme, or any of the Kings Dominions, by way of Marchandise, the summe of three shillings, and so after that rate: And of euery Tonne of swéete Wines, as well Malmesey, as other, that is, or shall come into this Realme by any Marchant alien iij. s. and so after that rate, ouer and aboue the three shillings aboue mentioned: And of euery Awme of Rhenish Wine, that is or shall so come in, xij. d. And also one other Subsedie called Poundage, that is to say, of al manner of Gods and Marchandize of euery Marchant Denizen, and Alien, carried, or to be carried out of this Realme, or any of the Kings dominions, or to be brought into the same by way of Marchandize, of the value of euery twentie shillings of the same Gods and Marchandizes xij. d. and so after the rate: And of euery xx. s. value of Tinne and Pewter Vessel carried out of this Realme, by euery, or any Marchant Alien xij. d. ouer and aboue the xij. d. afore said. (Except out of this grant of Subsedie of Poundage, all manner of woollen Cloth made or wrought, or which shall be made or wrought within this Realme of England, and by euery, or any Marchant denizen, and not borne alien, carried or to be carried out of this Realme. And all manner of Wools, Woll-felles, Hides, and backes of Leather, that is or shall be carried forth of this Realme: and all Wines not before limited to paie subsedie, or Tonnage: and all manner of fresh fish and Sckiall comming, or that shall come into this Realme.) And further, one other Subsedie, that is to say, of euery Marchant borne denizen, of, and for euery Sacke of Woll xxxiij. s. iiij. d. And of & for euery 240. Wooll-felles, xxxiij. s. iiij. d. And of and for euery last of Hides & Backes iij. l. vj. s. viij. d. and so after the same rate, for euery lesse or greater quantitie, for any the same Marchandize, more or lesse: and of euery Marchant stranger, not borne denizen, of, and for euery Sacke of Wooll iij. l. vj. s. viij. d. And of & for euery 240. Wooll-felles iij. l. vj. s. viij. d. And for euery last of Hides & Backes iij. l. xiij. s. iiij. d. And so of all the said Wools, Wooll-felles, Hides, and Backs, and euery of them, after the rate. Tinne and Pewter. Exceptions. Wool. Wooll-felles, Hides and Backes. Marchants strangers.

2 If any wines, goods, or other marchandize, whereof any the Subsedies aforesaid are or shall be due, shall at any time bee shipped, or put into any Boat or The penaltie, if the custome be not paid.

other veſſell, to the intent to be carried into the parts beyond the Seas, or elſe bee brought from the parts beyond the Seas into any port of this Realme, or other the Kings dominions, by way of Marchandize, and vnſhipped to bee laied on land, the Subſedie, Cuſtome, and other duties, due, or to be paied for the ſame, not paied or lawfully tendered, or the Collector thereof, or his Deputie, with the conſent and agreement of the Controller or Surueyor there, or one of them at the leaſt not agreed with for the ſame in the Cuſtom-houſe, according to the true meaning of this Act: then all the ſaid Wine, Goods, and Marchandize whatſoeuer, ſhall be forfeit to the K. highnes: the one moitie of the rate thereof to the K. and the other moitie to him or them that will ſeize the ſame, or ſue for the ſame. 1. Iac. 33.

A remedie where goods cuſtomed ſhall be taken or periſhed.

3 If any Goods or Marchandize, as aforeſaid, of any marchant, being borne denizen, hath beene, or (during the time of this Graunt) ſhall bee taken by any enemies or pyrates vpon the ſea, or periſhed in any ſhip, or ſhips, that ſhall happen to be taken, or periſhed, within the time of the ſaid Graunt, whereof the Subſedies, and other duties aforeſaid, are, or ſhall be duely paied, or agreed for, as aforeſaid, and that duely proued before the Treaſurer of England, or chiefe Baron of the Exchequer, for the time beeing, by the examination of the ſame Marchants, if they be aliue, or of their Executors or Adminiſtrators, if they be dead, or by two credible witneſſes at the leaſt ſworne, or other reaſonable witneſſe and proofe ſworne: then the ſame marchant, or marchants, his, or their Executors, or Adminiſtrators, ſhall or may newly ſhip in the ſame port, where the goods or marchãdize aforeſaid were or ſhall be cuſtomed, ſo much other marchandize or goods, as the ſame goods and marchandize that are or ſhall bee loſt, as aforeſaid, ſhall amount vnto in cuſtome, without paying any thing for the ſame, ſo as the ſame proofe be recorded and allowed of in the Court of Exchequer, and certified vnto the Collectors of the cuſtom of the Port, where the ſame wares and marchãdizes are to be newly ſhipped without Cuſtome, as aforeſaid. 1. Iac. 33.

Shipping in Carrickes or Gallies.

4 Euery Marchant denizen that ſhall ſhip any wooll, wool-fels, Hides, or other goods or marchandize in any Carricke or Galley, ſhall paie to the king all manner of Cuſtomes, and all the Subſedies aforeſaid, as any alien borne out of of this Realme. But it ſhall be lawfull to all and euery of the Kings ſubiects at his and their pleaſure to carrie and tranſport out of this Realme, in the ſhips or other veſſels of any of the ſubiects aforeſaid, all and euery kind of Herrings or other ſea-fiſh, to be taken vpon the Seas, by any the ſubiects aforeſaid, from or out of any Port or Harborough of this Realme, to any place out of the Kings Dominions, without paying any Cuſtome, Subſedie, or Poundage money from the ſame &c. 1. Iac. 33.

Tranſporting of Sea-fiſh.

Cuſtome of ſweet wines.

5 Like Cuſtome and Subſedie ſhall be paid for ſuch ſweet wines which come through the Straites of Marrocke, otherwiſe Allegay, being brought from the ſame place where the Malmeſey is, and of the ſame nature of Grape, as is and hath bin accuſtomed to be paid for Malmeſeyes. 1. Eliz. 11.

The cuſtom of Corne tranſported.

6 The Quéene, her Heires, and Succeſſors, ſhall receiue by the Cuſtomers and Officers of her Ports, for the Cuſtome of Poundage of euery Quarter of Wheat to be tranſported (by force of the Statute made 13. El.) xy. ð. and of euery Quarter of any other Graine, vij.d. And of euery Quarter of Wheate that ſhall bee by any ſpeciall licence tranſported (and not by force of the ſaid Statute) ij.s. and of euery Quarter of other Graine xvj. ð. notwithſtanding any words that ſhall be contained in any licence to the contrarie: which ſaid ſeuerall ſummes ſo taken, as Cuſtome or Poundage, ſhall bee in full ſatisfaction of all manner of Cuſtome or Poundage for the ſaid Corne and Graine, by any Conſtitution, Order, Statute, Law, or Cuſtome heretofore made, vſed, or taken for tranſporting of any ſuch manner of Corne or Graine. 13. Elizab. 13. See Corne 7. And

the

the Quæne, her Heires, and Succeſſors ſhall haue and receiue by the Cuſtomers and Officers of her Ports, for the Cuſtome or Poundage of euery Quarter of Wheate, to be tranſported by force of the Statute, made Anno 35. of her raigne, two ſhillings, and of euery quarter of any other Graine, ſirtæne pence. Which ſaid ſeuerall ſummes ſo to be had or taken as cuſtome or poundage, to be in full ſatisfaction of all manner of Cuſtome or Poundage for the ſaid Corne or Graine, by any Conſtitution, Order, Statute, Law, or Cuſtome heretofore made, vſed, or taken, for tranſporting of any ſuch manner of Corne and Graine. Prouided alwaies, that this Act, or any thing therein contained, ſhall not be preiudiciall or hurtfull to any former Letters Patents or Licence graunted by her Maieſtie to any perſon or perſons, bodies politicke, or corporate, for the tranſportation of any Corne or Graine, either at any leſſer Cuſtomes, or Subſedies, than is contained in this preſent Act, or without any Cuſtome, or Subſedie, but they and euery of them, their Deputies and Aſſignes, ſhall and may tranſport Graine hereafter for the time in their ſeuerall Letters Patents ſpecified, either at ſuch prices and rates, or without Cuſtome, or Subſedie, in ſuch manner and forme, as in the ſaid Letters Patents is contained, according to the forme and effect of the ſame Letters Patents, and in ſuch manner and forme, and not otherwiſe, to all ententes and purpoſes, as if this preſent Act had neuer bæne had, or made. 35. Elizabeth 7. See Corne 6.

7 Euery Subiect of the Queenes, that ſhall tranſport in any Shippe, or other Veſſels, of any of the Quæenes ſubiects with croſſe ſailes, any Herring, or other Sea-fiſh, taken vpon the Seas by any of the ſaid Subiects, out of any Port or harborough of this Realme, ſhall be frée from paiment of any cuſtome, ſubſedie, or poundage money for the ſame Fiſh. 5. Eliz. 5. 1. Iacob. 25. to continue vntill the end of the firſt Seſſion of the nert Parliament. S. Ships 1. Sea-fiſh trãſported without cuſtome.

8 Euery perſon that ſhall ſhip, or carrie any Leather, Tallow, or raw Hides, beyond the Sea, ſhall paie to the Quæne, her Heirs, and Succeſſors, for euery hide ſo carried, by the name of a Subſedie, tenne ſhillings: For euery dozen of Calues ſkinnes iij. s. iiij. pence. And for euery 100. pound weight of Tallow, fiue ſhillings eight pence. And all Cuſtomers, Controllers, Farmers, and Superuiſors of Cuſtomes and Subſedie ſhall be accomptant to the Queene &c. to paie the ſaid Cuſtome and Subſedie for all ſuch goods entred and laden, vpon paine to forfeit the treble value, and to make fine and ranſome. 18. El. 8. 3. H. 6. 3. S. Leather 50. The Subſedy of Leather, Calues ſkins, and Tallow.

9 If any Leather wrought, cut, or vnwrought, to the intent to be ſold or bartred, ſhall be vnlawfully tranſported or purpoſed to be tranſported beyond the ſea out of any port, hauen, or creeke of this Realme, or Wales, euery Controuler, Cuſtomer, Surueyor, Collector of Tonnage and Poundage, and Searcher, and ẏ deputie of any of them, or any other perſon hearing or knowing of any leather meant to be tranſported from any place within his Office, and doe not his beſt endeauour to ſeize the ſame, or beeing tranſported, doe not diſcloſe or cauſe to be diſcloſed the ſame, within 40. daies nert after knowledge or hearing of the ſame in ſome court of Record, ſo as the offendor may be puniſhed, according to the law, he ſhall for the firſt offence forfeit a 100. l. and for the ſecond, loſe his office. And euery Cuſtomer, Officer, or his Deputie, that ſhall make any falſe certificate of the arriuall of any Leather in any port, creeke, or place of this realme, ſhall forfeit for euery offence 100. l. But this Act ſhall not extend to any Scottiſh Hides, to be brought into the towne of Barwicke out of the Realme of Scotland, beeing regiſtred in a Booke, therefore to be kept, by ſuch perſon or perſons, as the Mayor of the ſaid towne for the time beeing, ſhall thereunto name and appoint, with the name and ſurname of the buyer and ſeller, to the intent the Engliſh Hides might bee knowne from the Scottiſh. But the inhabitants of the ſaid towne of Barwicke may ſend, carrie, and Trãſporting of Leather.

tranſport ſuch Scottiſh hides, as they lawfully might tranſport before the making of this Act. 1. Iac. 22. to endure vntill the end of the next Seſſion of the next Parliament. S. Leather.

Cuſtome of wooll.

10 No Engliſh marchant ſhall pay for the cuſtome of a ſacke of woll, but vj. s. viij. d. 14. Ed. 3. 21. No marchant alien or denizen ſhall be compelled to paie any cuſtom for their canuaſe or corners, with which their wools be packed. 34. Ed. 3. 19.

Small things not cuſtomed.

No owner of a ſhip ſhall looſe the ſame for a ſmall thing therein put without his priuitie not cuſtomed. 38. Ed. 3. 8.

Sureties of Strangers to employ their money receiued &c.

11 Euery Cuſtomer or Controller ſhall take ſufficient ſuretie of euery marchant alien, victualler, or other ſtranger, to employ the money receiued for his marchandize, vpon the commodities of this land, or to put the ſame money for the marchandize receiued in due paiment (his reaſonable expences deducted) vpon paine of forfeiture of the value of the ſaid marchandize to the K. and I. &c. 3. H. 7. 8. 17. Ed. 4. 1. S. Marchants 9. Money 3.

Silke ſhalbe ſurueyed and meaſured by the Cuſtomer.

12 If any marchant denizen, or ſtranger, ſhall ſell, or offer to ſell any cloth of gold, ſiluer, bowdkin, veluet, damaſke, ſatten, tartaron, chamlet, or other cloth of ſilke, or any corſe of ſilke and of gold, or any corſe of ſilke made beyond the Sea, before the Collectors of the ſubſedie of Tonnage and Poundage, and the Controller of the ſame, in the port where ſuch marchandize is ſet vpon land, haue ſurueied, meaſured, and ſealed euery peece thereof, in the one end with the ſeale ordained for the ſame, he ſhall forfeit the ſame, or the value thereof. 12. Ed. 4. 3. And if any Collector, Controller of the ſubſedie, or any of their Clerkes doe take any thing for ſealing any of the foreſaid peeces, hee ſhall forfeit for euery time xx. l. And if any of them doe vnreaſonably delay any marchant about the ſealing of ſuch marchandiſe, he ſhall forfeit for euery offence xl. s. to the King and partie grieued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 4. H. 8. 6.

The officer ſhall take no reward, nor delay the marchant.

Aliens made denizens.

13 Any perſon made or to be made denizen, ſhall paie for his marchandize like cuſtome and ſubſedie inward and outward, as he ſhould haue paid before hee was denizen. 1. H. 7. 2. 11. H. 7. 14. 22. H. 8. 8.

Engliſhmen ſubiect to other princes.

14 Euery ſubiect borne in England, & ſworne to be ſubiect to a forraine prince, ſo long as he ſhall abide, and be ſubiect to a forraine prince, ſhall paie ſuch cuſtoms, ſubſedies, tolles, and other impoſitions within this Realme, as other ſtraungers of thoſe parts where the ſaid Engliſhman maketh his habitation, vſe to paie. But if after any ſuch perſon doe returne into the Realme here to inhabite, then he ſhall be reſtored to ſuch liberties, in paying of Cuſtomes and other charges, as other Engliſhmen vſe to pay, and haue a writ out of the Chauncerie for the ſame. 14. H. 8. 4.

Goods brought into one port, and then remoued to another.

15 Euery marchant which ſhall bring any goods into any Port in this realm, and there doth enter the ſame in the Cuſtomers books, and paie vnto him the kings dutie, and will after carrie the ſame goods from thence, into any other port within this Realme, ſhall bring from the Cuſtomers of the Port where the goods were entred, a Certificat vnder their Seales directed vnto the Cuſtomers of the Port whereto the goods ſhall be conueyed, making mention therein of the colour, legth, weight, content, and value of all the goods ſo entred: and the Cuſtomer or Officer to whom ſuch certificat ſhall come, ſhall take nothing for the ſight of the ſame goods. And if any of the ſaid goods ſhall bee diſcharged, vnpacked, or put to ſale within any port (other then the ſame where they ſhall be firſt entred) before the ſaid certificat be deliuered, and the ſame goods ſeene, then they ſhal be forfeit to the King, and him that will prooue ſuch forfeiture 3. H. 7. 7.

Certificat entred into the Cuſtomers bookes.

16 If a certificat be made by the cuſtomer of any port whereunto ſuch marchandizes ſhalbe firſt brought, and there in their Bookes entred, not making mention, as is aforeſaid, the Cuſtomer ſhall looſe his Office, and make fine to the

King

King at his pleaſure. 3. H. 7. 7. The Cuſtome and Subſedie of all woollen clothes to be ſhipped and carried ouer the Seas (whereſoeuer they be packed) ſhall be paied to the Cuſtomers of the Port, where any ſuch clothes ſhall be laden, or ſhipped, or to their Deputies. 11. H. 7. 6. Woollen cloths packed in one port, & ſhipped in another.

17 Euery Cuſtomer or Controuler, which will not write, and deliuer ſufficient warrants ſealed with the ſeale of their Office, to any Marchant ſhewing and duely cuſtoming his marchandizes in the diſcharge of the ſame (without any thing receiuing therefore, but onely the due cuſtome) ſhall forfeit for euery offence to the K. x. l. and to the marchant grieued v. l. for the which the ſaid marchant ſhall haue an action. 11. H. 6. 15. Warrants of diſcharge to the Marchant paying the due cuſtomes.

18 No perſon, Denizen, or Stranger, ſhall enter into the bookes of any Cuſtomer, or other officer of any Port or Hauen, or his Deputie or Seruant any goods, wares, or marchandizes whatſoeuer, brought into the K. dominions, or to be tranſported forth of the ſame, in the name of any other perſon than the very true owner of the ſame goods, beeing not ſold or bargained for, by any perſon before ſuch entrie, or before the arriuall of ſuch goods or marchandizes into the partes beyonde the Sea, vpon paine of forfeit of the value of the goods ſo entred. 1. El. 11. 1. H. 8. 5. 14. Ed. 3. 21. And whoſoeuer doth cocket wools but in the name of him whoſe the wools be, ſhall forfeit them. 13. R. 2. 9. No man ſhall enter goods in another mans name. Cocketting wools.

19 If any Marchant Stranger, Denizen, or other the Kings Subiect ſhal cuſtom any goods, or marchandizes of any other, whereby the K. ſhall looſe his cuſtom, ſubſedie, or other right, or dutie, he ſhall forfeit all his goods and cattels perſonals for euer to the K. and J. that will ſue within three yeares, to be recouered by A. J. &c. wherin no W. &c. E. P. &c. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22. Cuſtoming of others goods, whereby the King loſeth his dutie.

20 If any perſon inheriting in the Cinque Ports, or other, being free of priſage or butlerage of wines, by graunt, cuſtom, or otherwiſe, doe cuſtom the wines of any other perſon, being not free, he ſhall forfeit all his goods and cattels perſonals to the K. and J. that will ſue within three yeares, to be recouered by A. J. wherein no W. &c. E. P. &c. 1. H. 8. 5. 2. Ed. 6. 22. Cuſtome of wines.

21 If any Cuſtomer, Controuler, or his Deputy will ſuffer by couin or other vndue meanes, any perſon, after that his Braſſe, Latten, Copper, Pettall &c. is ſhipped or carried, contrarie to the meaning of the Statute in that caſe prouided, to make an Obligation without date for the diſcharge and certificat of his Pettall: then he ſhall looſe his Office, and the value of the Pettall. And if any Cuſtomer or Searcher doe willingly ſuffer any of the Pettals aforeſaid to be ſhipped, contrary to the meaning of the ſaid Act, or els hauing knowledge that it is ſecretly ſhipped, or carried, doe not ſeize the ſame to the K. vſe, then he ſhall looſe his Office, and the value of the ſaid Pettall. 33. H. 8. 7. 2. Ed. 6. 37. S. Braſſe 3. Braſſe mettal remoued from one Port to another.

22 If a common Officer in any Citie, Borough, or Towne, or his deputie, doe take vpon him to be Cuſtomer, Controuler, or Searcher in any Port in the ſame Citie, Borough, or Towne, he ſhall forfeit for euery halfe yeare that hee occupieth both the ſaid Offices r. l. to the K. and J. &c. 3. H. 7. 7. Common officer of a towne ſhall be no officer in the Cuſtome there.

23 If a Cuſtomer, Controuler of the Cuſtom, Clerke, deputie, Miniſter, Seruant, Factor, or Searcher, Controuler, or Surueyor of Searches, or any of their Clerkes, deputies, Miniſters, or Factors ſhall haue any Ship of his owne (14. R. 2. 10.) or ſhall buy or ſel by way or colour of marchandize, or meddle with the fraighting of ſhips, or haue, or occupie any wharfes or keies, or keepe any Inne or Tauerne (11. H. 4. 2.) or ſhall be Factor or Atturney for any Marchant denizen, or alien, or ſhall be hoſt to any Marchant Stranger, he ſhall forfeit for euery ſuch offence xl. l. to the K. and J. &c. 20. H. 6. 5. No cuſtomer ſhall haue a ſhip, &c.

24 If any Cuſtomer, Collector, or Controuler of the K. Cuſtomes, of cockets of Clothes, Subſedies, Tonnage, or Poundage in any place of this Realme, Cuſtomer cõcealing the K. Cuſtome.

doe falſely conceale the Kings cuſtome or Subſedie duely entered and paied by any Merchant, and be thereof duely attainted or conuicted at the Kings ſuite, hee ſhall forfeit the treble value of the Merchandize ſo duely cuſtomed, and alſo paie a fine, and hee that will ſue, ſhall haue the third part. 3.H.6.3. And euery cuſtomer vpon the yeelding of his account in the Exchequer, ſhal be ſworne to anſwer to the King all profits without fraud. 4.H.4.20.

The Cuſtomer ſworne.

Which Cuſtomers may make deputies, & which not,

25 The Cuſtomers and Controulers in euery Port of England ſhal abide vpon their Offices in their proper perſons, without making any Deputie or Lieutenant in their names. 1. H. 4. 14. And thereunto they ſhall be ſworne: and hee which doth the contrarie, ſhall forfeit 100. pound, and be impriſoned. And the like ſymme ſhall a Searcher, and the Lieutenant of the Kings chiefe Butler forfeit, if he doe not abide vpon his Office, or doe make Deputie. 4. H.4.20. But the Cuſtomer of Lynne ſhall haue a Seruant, or Deputie, continually reſident at the Citie of Yorke. And euery other Cuſtomer, Controuler, and Searcher of euery Port ſhall aſſigne to and in euery of the Ports of London, Southampton, Briſtowe, Weſtchester, New-caſtle, and the ſuburbs of the ſame, and in euery port, creeke, or Rode (where the Seruant of any of them haue beene continually reſident by the ſpace of ten yeares, or hereafter ſhall be) one able and ſufficient Deputie or Seruãt at the leaſt. 1. Eliz. 11.

A Cuſtomer ſhall continue vpõ his office,

26 If a Cuſtomer, Controuler, Gauger of wines, or Searcher be abſent from his Office by the ſpace of three weekes, hee ſhall looſe his office, except he be commanded to be in ſome of the K. Courts of Record, or otherwiſe in the Kings ſeruice of Record. 1.H.4.13.4.H.4.20.13.H.4.5.

Officers of the Cuſtome ſhall be attendant.

27 As well euery Cuſtomer, Controuler, and Searcher, as euery of their Deputies and Seruants, ſhall from time to time doe their diligent attendance at the houres, times, and places (appointed by the Statute made 1. Eliz. for laying on land Marchandize) in the Cuſtome-houſe, and elſewhere, as it ſhall be moſt conuenient for the ſpeedie diſpatch of the Merchant, his wares and marchandize, and for the due execution of the foreſaid Act, in ſuch things as to him ſhall appertaine, without concealement or conſenting to any thing, which may be to the damage of the Quéen her heires, or ſucceſſors, in the iuſt anſwering of her Cuſtomes and Subſedies, vpon paine, that euery ſuch Cuſtomer, Controuler, and Searcher ſhall forfeit for euery offence his office, and 100. l. to the Qu. and I. wherein no Wit. &c. E. P. I. &c. And if any Officer pertaining to the Subſedis, or Cuſtome, do know any offence, committed contrary to any article of the ſaid Statute, and doe not diſcloſe it within one moneth to the chiefe officer of the ſame Port, or to the Lord Chancellor, Treaſurer, Barons of the Exchequer, or Atturney generall &c. he ſhall forfeit 100. l. 1. Eliz. 11. S. Merchants 5.6.7.8.

1 No Braſſe, Copper, Mettall, &c. ſhal be ſhipped but out of a Port where there is a Cuſtomer. S. Braſſe 5.

2 What bonds, and vpon what paine, a Cuſtomer ſhall take for the carrying of Braſſe or other Mettall from one Port to another. S. Braſſe 3.

3 Maſters of ſhips ſhall declare vnto the Cuſtomers, when they goe forth, and when they returne. S. Merchants 7.8.

4 What Cuſtome aliens ſhall paie for ſalted Fiſh &c. brought into this realme. S. Fiſh 18.

5 The forfeiture of a Cuſtomer, which ſealeth a Blanke Skrowe. S. 11. H. 6. 16.

6 The penaltie of a Cuſtomer, Searcher, &c. diſtraining, or arreſting any goods of the Kings ſubiects. S. 28. H. 6. 5.

7 The Kings Cuſtome and Impoſt for Beere tranſported. S. Corne 6.

Damages

Damages and Coſts.

Damages where the pl doth delay his ſuit, doth diſcontinue, or is nonſuit.

WHere any perſon ſhall ſue forth or procure to be ſued forth of the K. Bench any Latitat, Alias, or Pluries Capias againſt any perſon, which vpon the ſame ſhalbe arreſted, or appeare vpon the returne of any the ſaid writs or proces, & ſhal put in his baile to anſwere ſuch ſuit as ſhall be obiected againſt him, Then if the party at whoſe procurement the ſame writ or proces was obtained, doe not within three daies next after ſuch baile taken, put into the ſame Court his declaration againſt the ſame party againſt whom ſuch writ or proces ſhalbe ſued: Or if after declaration had, the plaintife ſhall not proſecute the ſame with effect, but ſhall willingly & apparantly to the ſame Court ſuffer his ſuit to be delated: Or ſhal after declaration ſuffer the ſame ſuit to be diſcontinued: Or ſhal be nonſuit in the ſame, then the Iudges of the ſaid Court ſhal by their diſcretions, as they ſhal perceiue any ſuch default to be in the party, at whoſe procurement ſuch writs or proces was ſued forth, award to euery ſuch perſon ſo arreſted or troubled by ſuch writs or ſuit, his coſts & damages, and charges by any meanes ſuſtained, by occaſion of any ſuch writs, proces, arreſts, or ſuits taken, had or ſued againſt him, to be paid by ſuch perſon, that ſo ſhal cauſe any ſuch writs or proces to be ſued forth. 8. El. 2.

Suites in the Marſhalſey, and corporate Townes.

2 If any perſon ſhall cauſe any other perſon to be attached or arreſted, to anſwere to any Bill, Plaint, Action, or Suit in the Court of the Marſhalſey, or in any Court within London, or in any City, Borough, Towne corporat, or other place, where any priuiledge is vſed to hold plea in any action perſonall, and doe not in all Courts (hauing their continuance de die in diem) within 3. daies next after the def. ſhall be bailed, or otherwiſe appeare in Court, by force of any arreſt or attachment had & returned, & in al other Courts, at the next Seſſions or Court to be holden after ſuch arreſts or attachments, & apparance of the def. whereas the ſaid def. ought to appeare (vnleſſe a further day ſhall be eſpecially giuen by the diſcretion of the Court, from whence any Precept, Proces, or Attachment ſhalbe awarded) exhibit his bill or declaration againſt ſuch perſon as ſo by his means ſhalbe attached or arreſted, into ſuch Court where the party ought to appeare: Or if any ſuch perſon, at whoſe ſuit any ſuch attachment or arreſt of any perſon ſhalbe ſo made, after his declaration, bill, or plaint exhibited, do not from thenceforth proſecute ỹ ſame his ſuit with effect, or ſhall ſuffer the ſame to be diſcontinued, or ſhal after be nonſuit in the ſame, or willingly and apparantly to the ſame Court, ſhall for veration of the def. delay the ſame ſuit, then the Iudge or Iudges of euery ſuch Court ſhall forthwith by his or their diſcretion, as he or they ſhal perceiue any ſuch default or delay in the party that procured any attachment or arreſt to be had, award to euery ſuch perſon, which ſhall be ſo attached or troubled, his coſts, damages and charges, by any means ſuſtained, by occaſion of any ſuch attachment, arreſt, and ſuit ſo had againſt him, to be paied by ſuch perſon that ſo ſhal cauſe any ſuch attachment or arreſt to be ſo made. 8. El. 2.

Arreſting of any perſon at anothers ſuit, not knowing thereof.

3 If any perſon ſhall by any meane malicioully, or for veration, procure any other perſon to be arreſted or attached, to anſwer in any the Courts or places aforeſaid, at the ſuit or in the name of any perſon, where indede there is no ſuch perſon knowne, or without the conſent of ſuch perſon, at whoſe ſuit, or in whoſe name ſuch arreſt or attachment ſhall be ſo had: then euery perſon that ſhall ſo procure any ſuch arreſt or attachment, and ſhal thereof be conuicted, or lawfully accuſed by Indictment, Preſentment, or by the teſtimonie of two ſufficient witneſſes, or moe, or other due proofe, ſhall for euery ſuch offence by him committed, or procured, ſuffer impriſonment fiue moneths, without baile or mainepriſe, and before hee ſhalbe deliuered out of the priſon, ſhall pay vnto the party ſo arreſted or attached by his

his meanes, treble the costes, charges, damages, and expences, that he shall be put vnto, by reason of such attachment so had, and shall also pay vnto such person, in whose name or at whose suit he shall so procure such arrest or attachment to bee made (if then there shall be any such person knowne) x. l. for euery such offence. 8. Eliz. 2.

A remedie for the forfeitures aforesaid.

4 Euery person to whom any costs, charges, damages, forfeiture, or paiment of any mony, by this Act shalbe awarded, or forfeited, may at all times haue his remedy for the recouery thereof, by A. of debt, bill, or plaint, in any Court of Record, against such person, his heires, executors, or administrators, as ought to pay ỳ same, by force of this Act, wherein no W. E. P. &c. 8. El. 2.

Damages in a writ of error sued before execution.

5 If any def. or tenant, against whom iudgement to recouer is giuen, or if any other that shalbe bound by the said iudgement, sue before execution had, any Writ of Error, to reuerse any such iudgement in delaying of execution, then if the said iudgement be affirmed good in the said writ of Error, & not erronious, or that ỳ said writ of Error be discontinued in the default of the party, or that the person ỳ sued such writ of Error, be nonsuit in the same, then the said person against whom the said writ of Error is sued, shall recouer his costs & damages for his delay & wrongfull veration in the same, by discretion of the Iustice before whom the said writ of Error is sued. 3. H. 7. 10. 19. H. 7. 20.

In certaine cases the def. shall recouer his costs.

6 If any person do commence, or sue in any Court of Record, or in any other Court, any action, bill, or plaint of trespasse vpon the statute of 5. R. 2. 7. for entries into lands & tenements, where no entry is giuen by the Law: Or any action &c. of debt or couenant, vpon any specialty made to the plaintife, or vpon any cõtract supposed to be made betweene the plaintife & any person: Or any action &c. of Detinue of any goods or cattels, whereof the plaintife shall suppose that the property belongeth to him: Or any action &c. of account, in which the plaintife supposeth ỳ def. to be his Bailife, or receiuer of his manor, mony, goods &c. to yeeld account: Or any action &c. vpon the case, or vpon any statute for any offẽce, or wrong personal, immediatly supposed to be done to the plaintife, & the plaintife in any such action, bill, or plaint, after apparance of the def. be nonsuited, or any verdict happen to passe by lawfull triall against the plaintife, in any such action, bill, or plaint: Then the def. in euery such action, bill, or plaint, shall haue iudgement to recouer his costs against euery such plaintife. And that shalbe assessed by the discretion of the Iudge or Iudges of the Court, where any such action, bill, or plaint shall be commenced, sued, or taken. And also euery def. in such action, bill, or plaint, shall haue such proces and executiõ for the recouery of his costs against the same plaintife, as the same plaintife should or might haue had against the def. in case that the iudgement had bin giuen therein for the plaintife. 23. H. 8. 15. If any person or persons at any time after the end of this present Session of Parliament, shall commence or sue in any Court of Record, or in any other Court, any action, bill, or plaint of Trespas, or Iectione firmæ, or any other action whatsoeuer, wherein the plaintife or demaundant might haue costs (if in case Iudgement should be giuen for him.) And the Plaintife or Plaintifes, Demandant or Demandants in any such Action, Bill, or Plaint, after appearance of the Defendant or Defendants, be nonsuited, or that any verdict happen to passe by any lawfull tryall against the Plaintife or Plaintifes Demaundant or Demaundants in any such Action, Bill, or Plaint: Then the Defendant and Defendants, in euery such Action, Bill, or Plaint, shall haue Iudgement to recouer his costs against euery such Plaintife and Plaintifes, Demaundant and Demaundants, to bee assessed, tared, and leuied in manner and forme, as costs in the said Actions are to be assessed, tared, and leuied in and by the said Law of the three and twentieth yeare of King Henrie the eight. 4. Iacob. 3.

7 But

7 But all and euery ſuch poore perſons, being plaintifes in any of the ſaid actions, bils, or plaints, which at the commencement of their ſuits or actions be admitted by the diſcretion of the Iudge or Iudges where ſuch ſuits ſhalbe purſued, or taken, to haue their proces & counſaile of Charity, without any mony paying for the ſame, ſhal not be compelled to pay any coſts by this ſtatute, but ſhal ſuffer other puniſhmēt, as by the diſcretion of the Iuſtices or Iudge, before whom ſuch ſuits ſhall depend, ſhalbe thought reaſonable. 23. H. 8. 15.

He that is alowed in Forma pauperis, ſhall not pay coſts,

8 Euery auowant, and euery other perſon & perſons that maketh any auowry, iuſtification, or cogniſance, as baily or ſeruant to any perſon or perſons in any Replegiare, or ſecond Deliuerance, for rents, cuſtomes, ſeruices, or for damage feſant, or other rents, vpon any diſtreſſe taken in any lands or tenements, if the ſame auowrie, conuſance, or iuſtificatiō be found for them, or the plaintifes in the ſame be nonſuit, or otherwiſe barred, then they ſhal recouer their damages & coſtes againſt the ſaid plaintifes, as the ſame plaintifes ſhould haue done, if they had recouered in the Replegiare or ſecond deliuerance found againſt the ſaid def. 7. H. 8. 4. 21. H. 8. 19. S Auowrie 2.

Auowant ſhal recouer coſts & damages againſt the pl.

9 Albeit the plaintife ſhalbe nonſuited in any whatſoeuer Action, Suit, Bill, or Plaint, commenced or ſued to the vſe of the King, his heires, or ſucceſſors, kings of England, or that it ſhall happen any verdict to paſſe againſt any ſuch plaintife in any ſuch action &c. the defendant ſhall not recouer any coſts againſt any ſuch plaintife. 24. H. 8. 8.

Actions ſued to the Kings vſe.

10 If any informer or plaintife vpon any penall ſtatutes, ſhall willingly delay his ſuit, or ſhall diſcōtinue, or be nonſuit in the ſame, or ſhal haue the trial or matter paſſe againſt him therin by verdict, or iudgemēt of Law, in euery ſuch caſe hee ſhall pay vnto the def. his coſts, charges, & damages to be aſſigned by the court, in which the ſame ſuit ſhal be attempted: for the recouerie and execution whereof, the def. ſhall immediatly vpon the ſame coſtes, charges, and damages aſſigned, haue his Capias ad ſatisfaciendum, Fieri facias, or Elegit to be awarded vnto him out of the ſame Court, in which the ſame ſhalbe ſo aſſigned. 18. Eliz. 5. 27. Eliz. 10. S. Action popular 4.

The informer ſhall pay coſts & damages.

11 If diſſeiſors do alien their lands, & haue not wherof damages may be leuied, they to whoſe hands ſuch tenements ſhal come, ſhalbe charged with the damages, ſo that euery one of thē ſhalbe charged with damages for his time. And the diſſeiſee ſhal recouer damages in a writ of Entry vpon diſſeiſin, againſt him which is found tenant after the diſſeiſor. Glouc. 6. E. 1. 1.

The alienee of the diſſeiſor charged with damages. Entre ſur diſſeiſin.

12 Damages ſhalbe awarded where a man recouereth by aſſiſe of Mortdaunceſter, Coſinage, Aiel and Beſaiel. Glouc. 6. E. 1. 1.

Mordanceſter, Coſinage, Aiel Beſaiel.

13 In all caſes where the demandant ſhall recouer damages (being the value of the iſſues of the land, there he ſhall alſo recouer againſt the tenant, the coſtes of his writ purchaſed, with the ſaid damages. Glouc. 6. E. 1. 1.

where damages ſhalbe recouered, there coſts alſo.

14 Euery mā ſhalbe cōpelled to render damages, where recouery is had againſt him vpon his own intruſion, or act, which damages ſhal run after the writ purchaſed againſt him, though his anceſtor died ſeiſed thereof. 6. E. 1. 1.

Recouerie vpon his owne intruſion.

15 The K. in all ſuits to be taken, vpon any ſpecialty made to his grace, or any to his vſe, ſhal recouer his iuſt coſts & damages as other common perſons vſe to do, in ſuits for their debts. 33. H. 8. 39.

The K. ſhall recouer coſts & damages.

16 If vpon any action perſonall to be brought in any her Ma. Courts at Weſtminſter (not being for any title or intereſt of lands, nor concerning ẏ frēhold or inheritance of any lands, nor for any battery) it ſhal appeare to the Iudges of ẏ ſame court, & ſo ſignified or ſet downe by the Iuſt. before whom ẏ ſame ſhal be tried, that the debt or damages to be rec. therein in the ſame court, ſhall not amoūt to the ſum of xl. s. or aboue, In euery ſuch caſe the Iudges & Iuſt. before whom any ſuch actiō ſhalbe

In action for a ſumme not exceading xl. s

shalbe pursued, shall not award for costs to the party plaintise, any greater or more costes then the summe of the debt or damages so recouered shall amount vnto, but lesse at their discretions. 43. El. 6. 1. Iac. 25. to continue in force vntill the end of the first Session of the next Parliament.

1 A woman shall recouer Damages in a writ of Dower, from the death of her husband. S. Dower 1.

2 Where treble Damages shall be recouered vpon Assise of common. S. Approuements 5.

Dayes in Banke.

4. Daies of returne in Trinitie Terme.

IN Trinitie Terme shalbe foure common daies of returne only, and not aboue, viz. The first day of returne shal be and be called in crastino sanct. Trinitatis, The second day of returne of the same Terme shalbe and be called in octab. sanct. Trinitatis, The third day of returne of the same Terme shall be and be called in quindena sanct. Trinit. And the fourth day of returne of the same Terme shal be and be called à die sanct. Trinit in tres septimañ. And the same daies of returne shal be obserued and kept in all the Kings high Courts of Record to be holden at Westminster, or other place or places, at the appointment or agreement of the K. his heires or successors. And there shall not be, nor be called any daies of returne, in crast. sancti Iohan. Baptist. octab. sancti Iohan. Baptist. nor quinden. sancti Iohan. Baptist. nor any of them. 32. H. 8. 21.

The beginning of Trinitie Terme.

2 And the said Terme of holy Trinitie shall yerely for euer begin the Munday next after Trinitie Sunday, whensoeuer it shall happen to fall, for the keeping of the essoines, prosers, returnes, & other ceremonies heretofore vsed and kept, in like maner & forme, as in times past hath bin vsed to be done in the day of returne commonly called in octab. sanct. Trinit. And the full terme of the said Trinity Terme shal yerely for euer begin the Friday next after Corpus Christi day, in such and in like manner & forme, to all intents, as heretofore hath bin vsed the wednesday next after Corpus Christi day. And the said second & third daies of returne, called octab. sanct. Trin. and quindeñ sanct. Trinit. shall take their commencement & begin as in times past hath bin vsed. And the said fourth day called à die sanct. Trin. in tres septim̃ shall take his commencement & begin from the said Trinitie Sunday into iij. weeks then next following, & shall haue his returne with the fourth day, as is accustomed in other like daies of returne. 32. H. 8. 21.

Daies giuen in real actions

4. Returnes.

3 If a writ come in octabis sanct. Michaelis, day shalbe giuen therupon in octabis sanct. Hill. If in quindeñ sanct. Michael. in quinden. Hillarij. If in tribus septimanis sanct. Michael. in crast. Purificationis. If in mense Michael. in octab. Purific. If in crastino Animarum, in quindeñ Pasch. If in crast. sanct. Martini, in tribus septimañ Paschæ. If in octab. sanct. Mart. in mense Pasch, If in quinden. Mart. in quinque septiman. Pasch. And also there is a day specially giuen in crastino Ascentionis, and it counteruaileth as much as quinque septim. Paschæ. Anñ 51. H. 3. If any writ in any reall action come in and be returnable into any of the K. Courts in Octab. sanct. Hillarij, the day shall be giuen in crast. sanct. Trinit. If in quindeñ sanct. Hillar. in oct. sanct. Trin. If in crast. Purific. beatæ Mariæ, in quinden. sanct. Trinit. If in Octab. Purificat. beatæ Mariæ, à die sanct. Trinit. in tres septiman. Anñ 32. H. 8. If in quinden. Pasch. in octab. sanct. Michael. If in trib. septiman. Pasch. then in quindeñ sanct. Mich. If in mens. Pasch. then in trib. septimañ sanct. Michael. If in quinque septiman. Pasch. or in crastino Ascentionis, in mense sanct. Michael. Anñ 51. H. 3. If any writ in any reall action come into any of the Kings Courts returnable in crastino sanct. Trinit. then day shall be giuen in crast. Animarum. If in octab. sanct. Trin. in crastiñ sanct. Martini. If in quindeñ sanct. Trin. in

octab.

octab. Sanct. Martin. If à die Sanct. Trinitatis in tres ſeptimanas, in quinden. Sancti Martini. 32. H. 8. 21.

4 In a plea of Dower, called (vnde nihil habet) foure daies ſhall be giuen in the yeare at the leaſt, & moe if it may conueniently be: So that they ſhall haue foure or ſix daies at the leaſt in the yeare. Marleb. 52. H. 3. 12. If the writ do come in octab. Sanct. Michael. day ſhall be giuen vntill craſtin. Animarum. If it come in quinden. Mich. day ſhalbe giuen vntill craſtin. Martin. If in menſe Mich. then in quinden. Mart. If in craſt. Animar. then in oct. Hillar. If in craſt. Mart. then in quinden. Hill. If in oct. Martin. then in craſt. Purific. If in quinden. Mart. then in octab. Purific. If in octab. Hill. then in quinden. Paſch. If in quinden. Hill. then in trib. ſeptim. Paſch. If in craſt. Purific. then in menſe Paſch. If in oct. Purific. then in craſt. Aſcentionis, Añ 51. H. 3. And if any writ of Dower come into any of the K. Courts, & be returnable, in quinden. Paſch. then day ſhalbe giuen in craſt. ſanct. Trinit. If à die Paſch. in tres ſeptimañ, in octab. ſanct. Trinit. If à die Paſch, in vnũ menſ. in quinden. ſanct. Trinit. If à die Paſch. in quinque ſeptim. or in craſt. Aſcent. dñi, then day ſhalbe giuẽ into the day of a die ſanct. Trin. in tres ſeptimañ. And if any writ of dower come into any of the K. Courts of Record in craſt. ſanct. Trin. then day ſhalbe giuen in Oct. ſanct. Mich. If in Oct. ſanct. Trin. in quindẽ ſanct. Mich. If in quindẽ ſanct. Trin. à die ſanct. Mich. in tres ſeptim̃. If à die ſanct. Trin. in tres ſeptim̃, à die ſanct. Mich. in vnum menſ. or otherwiſe, as is appointed, limitted, and declared by the Stat. of Marlebridge. 32. H. 8. 21. Daies giuen in Dower. 4. Returnes.

5 In Aſſiſes of Darreine preſentment, & in a plea of Quare impedit of Churches vacant, daies ſhalbe giuen from xv. to xv. or from three weeks to three weeks, as the place ſhall hap to be neere or farre, Marleb. 52. H. 3. 12. All common writs & proces, aſwell perſonall, as mixt, which ſhall fortune to be returnable in Trinitie Terme, ſhall haue & keepe the ſaid returnes of craſt. ſanct. Trinit, octab. ſanct. Trin, quindẽ ſanct. Trin, & à die ſanct. Trin in tres ſeptimañ, or any one of them. Prouided alway, that in ſuch & like caſes & proces as ſpeciall daies haue bin vſed to be appointed, aſſigned, & giuen, for the returning of writs & proces, It ſhalbe lawful to the Juſtices of euery of the K. Courts of Record for the time being, in all the proces by them awarded, to aſſigne & appoint ſpecial daies of returnes, as by their diſcretions ſhalbe thought conuenient. Prouided alſo, that the daies in aſſiſe of Darrein preſentment & in plea of Quare impedit, limitted & appointed by the ſtatute of Marlb. And alſo ỹ daies to be giuen in Attaint limited in ỹ ſtatute 5. E. 3. 7. being not contrariant to ỹ teno of this act, ſhal be holden firme & ſtable, & ſhall ſtand in their full force & effect. Anno 32. H. 8. 21.

6 In ſummons and attachments in plea of land, the writs ſhal contain xv. daies full at the leaſt after the common law, if it be not in attachment of Aſſiſes taken in the K. preſẽce, or of pleas before Juſtices in eire, during the eire. Artic. ſuper chart. Añ 28. E. 1. 15.

7 The day increaſing in the Leape yeare ſhalbe accompted for one yeare, ſo that becauſe of that day none ſhalbe preiudiced that is impleaded, but it ſhalbe taken and reckoned of the ſame month wherein it groweth, & that day & the day next going before, ſhalbe accompted for one day, Biſſextile, Añ 21. H. 3. The Leape yeare.

1 Daies in Quare impedit and Aſſiſe of Darreine preſentment. S. Quare impedit 1.

2 Daies in Attaint. S. Attaint 2. 12.

3 Daies in a writ of Communi cuſtodia. S. Wards 5.

4 Daies in action of Waſt. S. Waſt 3.

5 Daies giuen in Admeaſurement of paſture or Dower. S. Admeaſurement 1.

6 Daies of grace giuen to him in the reuerſion, which prayeth to be receiued. S. Receit 3.

Debts,

Debts, Debtors.

Forreiners shall not be distrained for debt.

IN a City, Borough, Market, or Faire, no forreiner shall be distrained for a debt that he doth not owe, or is not surety for: and he that doth it, shall be grieuously punished, & presently the distresse shalbe deliuered by the B. Bailifes of the place, or by other of the B. Bailifes, if need be. West. 1. 3. E. 1, 23.

A meane to recouer small debts in London.

2 Euery citizen & freeman of the city of London, & euery other person & persons inhabiting, or that shall inhabite within the said city or liberties thereof, being a tradesman, victualler, or a labouring man, which now haue, or hereafter shall haue any debt or debts owing vnto him or them, not amounting to xl.s. by any citizen, or by any other person or persons, being a victualler, tradesman, or labouring man, inhabiting, or that shall inhabite within the said city or liberties thereof, shall or may cause such debtor or debtors to be warned or summoned by ỹ beadle or Officer of the Court of Requests for the time being, by writing to be left at the dwelling house of such debtor or debtors, or by other reasonable warning or notice to be giuẽ to the said debtor or debtors, to appeare before the Commissioners of the Court of Requests, holden in the Guild Hall of the said city: And the said Commissioners, or any iij. of them, or more, shal haue authority by vertue of this Act, from time to time to set downe such order or orders betweene such party or parties plaintife, & his, or their such debtor or debtors def. touching such debts, not amounting to the value of xl.s. in question before them, as they shal find to stand with equity & good cõscience. All such their order or orders to be registred in a book, as they haue bin accustomed, & as well the party plaintife, as the debtor or def. to obserue, performe, & kepe the same in all points. And for the more due proceeding herein, it shal be lawfull for the same Commissioners, or any iij. or more of them, to minister an oath to the plaintife or def. and also to such witnesses as shal be produced on each party, if ỹ same Commissioners, or any iij. of them, or more, shall so thinke it meet. 3. Iac. 15.

Suits for small debts in other Courts.

3 If in any action of debt, or action vpon the case vpon an Assumpsit, for the recouery of any debt to be sued or prosecuted against any the person or persons aforesaid, in any of the B. Courts at Westminster, or elsewhere out of the said Court of Requests, it shall appeare to the Judge or Judges of the Court, where such Action shalbe sued or prosecuted, that the debt to be recouered by the plaintife in such actiõ, doth not amount to the summe of xl.s. And the def. in such action shall duly proue, either by sufficient testimonie, or by his own oath, to be allowed by any the Judge or Judges of the said Court, where such action shall depend, That at the time of cõmencing of such action, such def. was inhabiting & resiant in the city of London, or the liberties thereof, as aboue: in such case the said Judge or Judges shall not allow to the said plaintife any costs of suit, but shall award, that the same plaintife shall pay so much ordinarie costes to the party defendant, as such def. shall iustly proue before the said Judge or Judges, it hath truly cost him in defence of the said suit. 3. Iac. 15.

The plaintife shal pay costs.

Refusing to appeare, or not performing of orders.

4 If any such plaintife, or creditor, defendant, or debtor, after warning giuen him or them, in manner & forme before in this act mentioned, by the said Officer of the said Court of Requests, shall without some iust cause of excuse, refuse to appear in the said Court before the said Commissioners, or shal not performe such order as the said Commissioners, or any iij. or more of them, shal set downe, for, or cõcerning such debts as aforesaid: Then it shal be lawful for the said Officer of ỹ said Court, or any other of the Sergeants at Mace of the said city, by order of the said Cõmissioners, or any 3. or more of them, to commit such party or parties to prison, into one of the Counters of the said city, there to remaine vntil he or they shall performe the order of the said Commissioners in that behalfe. 3. Iac. 15.

5 Prouided

5 Prouided alwayes, that this Act ſhall not extend to any debt for any rent, vpon any Leaſe of lands or tenements, or any other reall contracts, nor to any other debt that ſhall ariſe by reaſon of any cauſe concerning Teſtament, or Matrimony, or any thing concerning or properly belonging to the Eccleſiaſticall Court, albeit the ſame ſhall be vnder xl.s. Any thing before contained to the contrarie notwithſtanding. 3. Iac. 15. Reall contracts.

Demurrer.

AFter Demurrer ioyned and entred in any Action, or Suit, in any Court of Record within this Realme, the Iudges ſhall proceed and giue Iudgement, according as the verie right of the cauſe & matter in Law ſhall appeare vnto them, without regarding any imperfection, defect, or want of forme in any writ, returne, plaint, declaration, or other pleading, proces, or courſe of proceeding whatſoeuer: Except thoſe onely which the partie demurring ſhall ſpecially and particularly ſet down and expreſſe together with his demurrer. And no iudgement to be giuen, ſhalbe reuerſed by any writ of Errour, for any ſuch imperfection, defect, or want of forme, as is aforeſaid, except ſuch only as is before excepted. 27. El. 5. After demurrer iudgement ſhalbe giuen.

2 After demurrers ioyned & entred, the Court where the ſame ſhall be, ſhall and may from time to time amend all and euerie ſuch imperfections, defects, and wants of forme as is before mentioned, other then thoſe onely, which the partie Demurring ſhall ſpecially & particularly expreſſe & ſet down together with his Demurrer, as is aforeſaid. 27. Eliz. 5. The Court may amend defects.

3 This Act, or any thing therein contained, ſhall not extend to any Writ, Declaration, or Suit of Appeale of Felony, or Murder, nor to any Indictment, or Preſentment of Felonie, Murder, Treaſon, or other matter, nor to any Proces vpon any of them, nor to any Writ, Bill, Action, or Information vpon any Popular or Penall Statute: any thing aforeſaid to the contrarie notwithſtanding. 27. Eliz. 5. Appeale, Indictment. Information vpon penall Statute.

Dilapidations.

IF any Archbiſhop, Biſhop, Deane, Archdeacon, Prouoſt, Treaſorer, Chaunter, Chancelor, Prebendary, or any other, hauing any dignitie or Office of any Cathedrall Collegiat Church within this Realme, or any Parſon, Vicar, or other Incumbēt of any Eccleſiaſtical liuing, whereunto doe belong any houſes or buildings, which by law or cuſtom he is bound to maintain in reparation, doe ſuffer any of his ſaid houſes or buildings to fall downe, or run in decay, & after doe make any deed of gift, alienation, or other conueyāce of his moueable goods or cattels in his life time, to the intent after his death, to defeat his ſucceſſors of ſuch iuſt actions & remedies as otherwiſe they might haue had for the ſame, againſt their executors, or the adminiſtrators of their goods: Then the ſucceſſors of him which ſhal make ſuch deed &c. ſhal & may commence ſuit, & haue ſuch remedy in any Court Eccleſiaſticall within this Realm, competent for the matter againſt him or them, to whom ſuch deed of gift or alienation ſhalbe ſo made, for the amending & reparation of ſuch Dilapidations, or iuſt recompence for the ſame, as hath happened by his fact or default, in ſuch ſort as he might, ſhould or ought lawfully to haue, if he or they to whom ſuch deed of gift were made, were executor of him that made ſuch deed &c. or adminiſtrator of ſuch goods &c. 13. Eliz. 10. Fraudulent deeds to defeat the ſucceſſors of their remedie for dilapidations.

2 Whoſoeuer doth recouer any ſummes of money, for, or in the name of Dilapidations, by ſentence, compoſition, or otherwiſe, and doth not within two yeares after the receipt thereof truely imploy the ſame vpon buildings, and reparations, in reſpect whereof ſuch money for Dilapidations ſhall be paied, ſhall forfeit double ſo Money recouered for dilapidations, ſhal be imploied in reparations.

much to the Quéene, as ſhall be by him receiued, and not imployed. 14. Eliz. 11. 1. Iac. 25. To continue vntill the end of the firſt Seſſion of the next Parliament.

Diſceipt.

IF any Sergeant, Pleader, or other, doe any deceipt in the Kings Court, or do conſent thereunto, to deceiue the Court, or partie, & is thereof attainted, he ſhalbe impriſoned a yeare & a day, & being a Councellor, ſhall not any more be receiued to plead in the Kings Court for any man. And if he be any other then a Pleader, he ſhalbe impriſoned as aforeſaid. And if the treſpaſſe require a greater puniſhment, it ſhalbe at the Kings pleaſure. Weſt. 1. 3. Ed. 1. 29.

2 A writ of Diſceipt holdeth place, and is maintainable as well in place of garniſhment, which toucheth plea of land where ſuch garniſhment is giuen, as in caſe of ſummons in a plea of land. 2. Ed. 17. Northampt.

Diſcontinuance of Proces.

Death of the King ſhall not diſcontinue any ſuit.

BY the death, or demiſe of the King that now is, or of any that hereafter ſhalbe King or Quéene of this Realme, any action, ſuit, bil, or plaint, that ſhal depend betwéen party and party, in any of the Kings Courts, and other Courts of Record, ſhall not in any wiſe be diſcontinued, or put without day: But the Proces, Pleas, Demurres, and Continuances in euerie action, actions, ſuits, bills, or plaints, which ſhall depend, ſhal ſtand good, & be proſecuted, & ſued forth, in ſuch maner and forme, & in the ſame eſtate, condition, & order, as if the ſame King or Quéene had liued. And al maner of Judicial proces, that ſhalbe purſued in the time of the raigne of any other K. or Q. then raigned at the time of the purſuit of the original, or other former Proces, ſhalbe made in the name of the King or Quéene, that for the time ſhal reigne and be King or Quéene &c. And variance touching the ſame Proces, betwéene the names of the Kings or Quéenes, ſhal not be materiall, as concerninga any default to be obiected therefore. 1. Ed. 6. 7.

Death, new commiſſion, or aſſociation of Juſtices.

2 Euery Aſſiſe of Nouel diſſeiſin, Aſſiſe of Mortdaunceſter, Iuris vtrum, and Attaint, which ſhalbe arraigned, commenced, or ſued before any Juſtices of aſſiſe ſhal not be diſcontinued, or put without day, by reaſon of death, new Commiſſion, aſſociation, or not comming of the ſame Juſtices, or any of them, but ſhall ſtand good in the law, to all intents, the death, new commiſſion, aſſociation, or not comming of the ſame Juſtices, or any of them in any wiſe notwithſtanding. 1. E. 6. 7.

Preferment of the plaintife to a name of dignitie.

3 Albeit any demaundant, or plaintife, in any action, bill, or ſuit, ſhall be made Duke, Archbiſhop, Marquelle, Earle, Vicont, Baron, Biſhop, Knight, Juſtice of the one Bench, or the other, or Sergeant at Law, depending the ſame action &c. yet no writ, action, or ſuit, ſhall for ſuch cauſe be abatable, or abated, but ſhall remaine in like force, as the ſame was before. 1. Ed. 6. 7.

One ſhall remaine Juſt. & Cõmiſſioner, though he be preferred to dignitie.

4 Albeit any perſon being Juſtice of Aſſiſe, Juſtice of Gaole deliuerie, or Juſtice of Peace, within any the Kings Dominions, or being in any other of the kings Commiſſions whatſoeuer, ſhall be made Duke, Archbiſhop, Marquelle, Earle, Vicount, Baron, Biſhop, Knight, Juſtice of the one Bench, or of the other, or Sergeant at Law, or Shirife, yet he ſhall remaine Juſtice, and Commiſſioner, and haue full power to execute the ſame, in like maner as he might or ought to haue done before the ſame. 1. Ed. 6. 7. But no perſon exerciſing the office of a Shirife of any Countie, ſhall execute the office of a Juſtice of the Peace, by force of any Commiſſion, or otherwiſe, in any Countie where he ſhall be Shirife, during the time onely that he ſhall exerciſe the ſaid office. 1. Ma. 8.

No Shirife ſhalbe Juſtice of peace.

New Juſtices may giue iudgement of a priſoner found guilty and repried.

5 In all caſes, where any perſon ſhall be found guiltie of any Treaſon, Murder, Manſlaughter, Rape, or other Felonie whatſoeuer, for the which iudgement

of

of death ſhould or may enſue, and ſhall be reprieued to priſon without iudgement at that time giuen againſt: Thoſe perſons that at any time ſhall by the Kings Letters Patents be aſſigned Iuſtices to deliuer the Gaole, where any ſuch perſon found guiltie ſhall remaine, ſhall haue full power to giue Iudgement of death againſt ſuch perſon ſo found guiltie & reprieued, as the ſame Iuſtices (before whom ſuch perſon was found guiltie) might haue done, if their Commiſſion of Gaole deliuerie had remained in full force. 1. Ed. 6. 7.

6 No proces or ſuit made, ſued, or had before any Iuſtices of Aſſiſe, Gaole deliuerie, Oyer and Terminer, Iuſtices of Peace, or other of the Kings Commiſſioners, ſhall be diſcontinued by the making and publiſhing of any new Commiſſion or aſſociation, or by altering of the names of the Iuſtices of Aſſiſe, Gaole deliuerie, Oyer and Terminer, Iuſtices of Peace, or other the kings Commiſſioners, but the new Iuſtices, and other Commiſſioners may proceed in euery behalfe, as if the old Commiſſions and Iuſtices and Commiſſioners had ſtill remayned not altered. 1. Ed. 6. 7. 11. H. 6. 6. See Iuſtices of peace 109. No ſuit before Iuſtices ſhall be diſcontinued by a new Commiſſion.

Diſpenſations, Licences, Faculties, &c.

NO perſon of the Kings Dominions ſhall pay any penſions, portions, or other Impoſitions, to the vſe of the Biſhop, or Sea of Rome: Neither ſhall any perſon ſue to the ſaid Biſhop, or Sea of Rome, for Licences, Diſpentations, Impoſitions, Faculties, Graunts, Reſcripts, Delegacies, or any other Inſtruments, or writings, for any cauſe or matter, for the which any Licence, or other writing &c. heretofore hath bẽn vſed to be obtained at the Sea of Rome, or by authoritie thereof, or of any Prelate of this Realme. Nor for any maner of other Licences, Diſpenſations, &c. or other writings, that in cauſes of neceſſitie may be lawfully graunted, without offending of the holie Scriptures & Lawes of God: But euery ſuch Licence, Diſpenſation, Compoſition, Facultie, Graunt, Reſcript, Delegacie, Inſtrument, and writing, neceſſarie for the King, his heires or ſucceſſors, and his people, and Subiects, vpon the due examinations of the cauſes, & qualities of the perſons procuring ſuch Diſpenſations, &c. or other writings, ſhal be graunted, had, and obtained from time to time within this Realme, and other the Kings Dominions, and not elſewhere, in maner and forme following, and none otherwiſe. 25. H. 8. 21. No Diſpenſations from Rome.

2 The Archbiſhop of Canterburie, and his Succeſſors, ſhall haue power and authoritie from time to time, by their diſcretions, to giue, graunt, and diſpoſe by an Inſtrument vnder the Seale of the ſaid Archbiſhop, vnto the king, his heires and ſucceſſors, kings of this Realme, aſwell all maner ſuch Licences, Diſpenſations, Faculties, Compoſitions, Graunts, Reſcripts, Delegacies, Inſtruments, and all other writings, for cauſes not being contrarie or repugnant to the holie Scriptures and Lawes of God, as heretofore hath bẽn accuſtomed to be obtained by the King, or his Progenitors, or any of his or their Subiects, at the Sea of Rome, or of any perſon or perſons by authoritie of the ſame: And all other Licences, Diſpenſations, faculties, compoſitions, graunts, reſcripts, delegacies, inſtruments, and other writings, in, for, and vpon all ſuch cauſes and matters as ſhall be conuenient and neceſſarie to be had, for the honour and ſuretie of the King, his heires and ſucceſſors, and the wealth of this Realme: So that the ſaid Archbiſhop, or any of his Succeſſors, in no maner of wiſe ſhall graunt any Diſpenſation, Licence, Reſcript, or other writing before rehearſed for any cauſe, or matter, repugnant to the Law of God. 25. H. 8. 21. Diſpenſations to the king.

3 The ſaid Archbiſhop, and his Succeſſors, after good and due examination by them had, of the cauſes and qualities of the perſons procuring for Licences, Diſ- Licences and diſpenſations to Subiects.

penſations, Compoſitions, Faculties, Delegacies, Reſcripts, Inſtruments, or other writings, ſhall haue authoritie by them ſelfe, or by their ſufficient and ſubſtanciall Commiſſarie, or Deputie, by their diſcretions from time to time, to grant and diſpoſe by an inſtrument vnder the name and ſeale of the ſaid Archbiſh. to the Subiects of the King, his heires & ſucceſſors, all maner Licences, Diſpenſations, Faculties, Compoſitions, Delegacies, Reſcripts, Inſtruments, or other writings, for any ſuch cauſe or matter, whereof heretofore ſuch Licences, Diſpenſations, &c. or writings haue bẽ accuſtomed to be had at the Sea of Rome, or by authoritie thereof, or of any Prelate of this Realme. 25.H.8.21.

Diſpẽſations to vnwonted cauſes.

4 The ſaid Archbiſhop & his Commiſſarie ſhall not graunt any other Licence, Diſpenſation, compoſition, faculty, writing, or inſtrument in cauſes vnwont, and not accuſtomed to be had & obteined at the Count of Rome, nor by authority thereof, nor by any Prelate of this Realme, vntill the King, his heires or ſucceſſors, or his or their Councell ſhall firſt be aduertiſed thereof, & determine whither ſuch Licences, Diſpenſations, &c. or other writings in ſuch cauſes vnwont, & not accuſtomed to be diſpenſed withall, or obtained, ſhall commonly paſſe as other faculties, diſpenſations, or other writings ſhal or no, vpon paine that the graunters of euery ſuch Licence, Diſpenſation, or writing in ſuch cauſes vnwont, contrary to this Act ſhall make fine at the pleaſure of the King his heires & ſucceſſors. And if it be thought by the King, his heires or ſucceſſors, or his or their Councell, that Diſpenſations, Faculties, Licences, or other writings in ſuch caſes vnwont ſhall paſſe, Then the ſaid Archbiſhop, or his Commiſſarie, hauing Licence of the King, his heires or ſucceſſors for the ſame, by his or their bill aſſigned, ſhall diſpence with them accordingly. 25.H.8.21.

Diſpenſations confirmed by the great Seale.

5 No maner of Diſpenſations, Licences, Faculties, or other Reſcripts, or writings to be graunted to any perſon or perſons by vertue of this Act, by the ſaid Archbiſhop, or his Commiſſary, being of ſuch importance, that the Tare for the expedition thereof at Rome extended to the ſumme of iiij. li, or aboue, ſhall be put in execution, vntil the ſame Licence, Diſpenſation, &c. be firſt confirmed by the King, his heires or ſucceſſors, vnder the great Seale, and inrolled in the Chauncerie in a Roll, by a Clerk to be appointed for the ſame. And this Act ſhal be a ſufficient warrant to the Lord Chauncellor of England for the time being, or to the Keeper of the great Seale, to confirme in the name of the King, his heires or ſucceſſors, the foreſaid writings paſſed vnder the ſaid Archbiſhops ſeale, by letters Patents in due forme therof to be made vnder the kings ſaid great Seale, remitting aſwel the ſaid writing vnder the Archbiſhops Seale, as the ſaid confirmation vnder the great Seale, to the parties from time to time procuring the ſame. 25.H.8.21.

Diſpenſations without confirmation.

6 All ſuch Licences, Diſpenſations, Faculties, Reſcripts, and other writings, for the expedition of the which, the ſaid Tare to be paied at Rome was vnder iiij. li, ſhall paſſe onely by the Archbiſhops Seale, and ſhal not of any neceſſitie be confirmed by the great Seale: vnleſſe the Procurors of ſuch Licence, Facultie, or Diſpenſation deſire to haue them ſo confirmed, in which caſe they ſhall pay for the ſaid great Seale to the vſe of the King, his heires and ſucceſſors, v. s, and not aboue, ouer and aboue ſuch Tare, as ſhal be hereafter limitted, for the making, writing, regiſtring, confirming, and inrolling of ſuch Licences, Confirmations, and writings, vnder the ſaid Tare of iiij. li. 25.H.8.21.

7 Euery ſuch Licence, Diſpenſation, Compoſition, Facultie, Reſcript, & writing, for ſuch cauſes as the Tare was wont to be iiij. li, or aboue, ſo granted by the Archbiſhop, and confirmed vnder the great Seale, And all other Licences, Diſpenſations, Faculties, Reſcripts, & writings hereafter to be graunted by the Archbiſhop, by vertue of this Act, wherunto the great Seale is not limitted of neceſſity to be put (by reaſon that the Tare of them is vnder iiij. li.) ſhall be allowed & admitted

mitted good in Law, in all places, Courts, & iuriſdictions, aſwell ſpirituall, as temporall, within the kings Dominions, & as beneficiall to the parties obtayning the ſame, as they ſhould haue bẽn, if they had bẽn obtained, with all things requiſite, of the See of Rome, or of any other perſon by authoritie thereof, without any reuocation, or repeal hereafter to be had of any ſuch Licences, Diſpenſations, &c. And all children procreated after ſolemnization of any Mariages hereafter to be had or done by vertue of ſuch Licences, or Diſpenſations ſhall be admitted, reputed, and taken to be legitimat, in all Courts, aſwell ſpirituall, as temporall, and in all other places, and ſhall inherite the inheritance of their Parents and auncеſtors, within all the kings Dominions, according to the Lawes and Cuſtomes of the ſame. And all actes to be done, had, or executed, according to the tenour of ſuch Licences, Diſpenſations, Faculties, writings, or other inſtruments, to be made, or graunted by authoritie of this Act, ſhal be firme, permanent, and remaine in force: Any forreine Lawes, Decrees, Canons, Inhibitions, Cuſtome, Preſcription, &c. to the contrarie notwithſtanding. 25. H. 8. 21.

Licences to marie.

Actes done by Licence, be lawfull.

8 The ſaid Archbiſhop, and his Succeſſors, ſhall haue power and authoritie to ordeine, make, and conſtitute a Clerke, which ſhall write and regiſter euery ſuch Licence, Diſpenſation, Facultie, or other Inſtrument to be graunted by the ſaid Archbiſhop, and ſhall find parchment, ware, and ſilken laces conuenient for the ſame, and ſhall take for his paines ſuch ſummes of money as ſhall be hereafter limitted. And the King, his heires and ſucceſſors, by their Letters patents vnder the great Seale, ſhall depute, and conſtitute one ſufficient Clerke, being learned in the courſe of the Chauncerie, which ſhall be attendant vpon the Lord Chauncelor, or the L. Keeper of the great Seale, for the time being, and ſhall make, write, and inroll the Confirmations of all ſuch Licences, Diſpenſations, Inſtruments, and other writings, as ſhal be thither brought vnder the Archbiſhops Seale, there to be confirmed, and inrolled: And alſo ſhall intitle in his bookes, and inroll of record ſuch other writings, as thither ſhal be brought vnder the Archbiſhops Seale, not to be confirmed, taking for his paines ſuch reaſonable ſummes of money, as hereafter be limitted. And aſwell the ſaid Clerke appointed by the ſaid Archbiſhop, as the ſaid Clerke appointed by the king, his heires or ſucceſſors, ſhall ſubſcribe their names to euery ſuch Licence, Diſpenſation, Faculty, or other writing, that ſhall come to their hands to be written, made, graunted, ſealed, confirmed, regiſtred, and inrolled, by authoritie of this Act, in forme as is before rehearſed. 25. H. 8. 21.

Clerkes of the Faculties &c.

9 There ſhall be two bookes drawen and made of one tenour, in which ſhall be conteined the Tares of all cuſtomable Diſpenſations, Faculties, Licences, and other writings wont to be ſpedde at Rome, which bookes, and euery leafe of thoſe bookes, and both ſides of euery leafe, ſhall be ſubſcribed by the Archbiſhop of Canterburie, the Lord Chauncelor of England, the L. Treaſorer of England, and the two chiefe Juſtices of both Benches, for the time being: To the which bookes all ſutors for Diſpenſations, Faculties, Licences, & other writings afore rehearſed ſhall haue recourſe, if they require it. And one of the ſaid bookes ſhall remaine in the hands of him, which ſhall be appointed to be Regiſter, and Scribe of the ſaid Diſpenſations, Faculties, & Licences vnder the ſaid Archbiſhop of Canterburie, in forme as is afore ſaid: And the other booke ſhall remaine with the Clerke of the Chauncerie, which by the King, his heires or ſucceſſors ſhall be appointed, as is before rehearſed: Which Clerke of the Chauncerie ſhall alſo note, & intitle particularly and daily in his booke ordeined for that purpoſe, the number, and qualitie of the Diſpenſations, Faculties, Licences, & other Reſcripts, and writings, which ſhall be ſealed onely with the Seale of the ſaid Archbiſhop: and alſo which ſhall be ſealed with the ſaid Seale, and confirmed with the great Seale, in forme as is

Two bookes of Taxes.

before ſaid, that all fraud and concealment in this behalfe may be auoyded. 25. H.8.21.

The fees of diſpenſations.

10 No man ſuing for Diſpenſations, Faculties, Licences, or other Reſcripts, or writings, which were wont to be ſped at Rome, ſhall pay any more for their Diſpenſations, &c. then ſhall be conteined, tared, and limited in the ſaid duplicat bookes of Tares: Onely Compoſitions excepted, of which, being arbitrarie, no Tare can be made: Wherefore the Tare ſhall be ſet by the Archbiſhop of Canterburie, & the Lord Chauncellor of England, or the L. Keeper of the great Seale for time being. And ſuch as ſhall exact, or receiue of any ſuit or more for any Diſpenſation, Facultie, or Licence, then ſhal be contained in the ſaid bookes of Tares, ſhall forfait ten times ſo much, as he ſhall ſo extorciouſly receiue, & exact, to the King, his heires and ſucceſſors, and the J. to be recouered by A. B. or P. wherein no E. P. or W. ſhall be admitted. 25. H.8.21.

Extorcion in the Officer.

How the tare ſhall be deuided.

11 The Tare or ſumme appointed to be paied for euery ſuch Diſpenſation, Licence, Facultie, Reſcript, or other writing graunted by this Act, ſhall be imployed and ordered, as hereafter inſueth, viz. If the Tare extend to iiij. li, or aboue, by reaſon whereof the Diſpenſation, Licence, Facultie, Reſcript, or writing which ſhall paſſe by the Archbiſhops Seale, muſt be confirmed by the appenſion of the great Seale: Then the ſaid Tare extending to iiij. li, or aboue, ſhall be deuided into three parts, whereof two ſhall be perceiued by the ſaid Clerke of the Chauncerie (to be appointed as is aforeſaid) to the vſe of the King, his heires and ſucceſſors, and to the vſe of the Lord Chauncellor, or the Keeper of the great Seale for the time being, and to the vſe of the ſaid Clerke, in ſuch wiſe as is hereafter declared: And the third part ſhall be taken by the ſaid Clerke of the Archbiſhop, to the vſe of the ſame Archbiſhop, and his Commiſſarie, and his ſaid Clerke, & Regiſter, in ſuch ſort as hereafter ſhall be limitted: That is to ſay, the ſaid two parts ſhall be deuided into foure parts, of the which, three parts ſhall be taken to the vſe of the King, his heires and ſucceſſors, and the fourth part ſhal be deuided into three parts, whereof the L. Chauncellor of England, or L. Keeper of the great Seale for the time being ſhall haue two parts, and the ſaid Clerke of the Chauncerie the third part for his paines, trauaile, and labour, that he is to doe by vertue of this Act: And the ſaid third part of the whole Tare appointed to the Archbiſhop and his officers, ſhall be deuided into three parts, whereof the Archbiſhop ſhall haue to his vſe two parts, and his officers ſhall haue the third part thereof: Of the which third part to be deuided into two parts, the ſaid Clerke, or Regiſter, which ſhall find parchment, ware, and ſilke, and ſhall deuiſe and write the ſaid Diſpenſations, Licences, Faculties, &c. and regiſter the ſame, ſhall haue for his ſaid labour, and for receyuing and paying of the ſummes of money that ſhall come to his hands for Diſpenſations, Licences, Faculties, &c. the one moitie thereof: and the Commiſſarie of the ſaid Archbiſhop appointed to ſeale the ſaid Diſpenſations, Licences, &c. ſhall haue the other part. And if the Tare be vnder iiij. pounds, and not vnder xl. ſhillings, then the ſaid Tare ſhall be deuided into three parts, as is aforeſaid, whereof the King, his heires and ſucceſſors ſhall haue two parts thereof, abating iij. ſ. iiij. d. which ſhall be to the Clerke of the Chauncerie, for ſubſcribing, intituling, and inrolling the ſaid Diſpenſations, Licences, &c. and receyuing of the Kings money ſo tared: And the Archbiſhop and his officers ſhall haue the third part: which third part ſhall be deuided into two parts, whereof the Archbiſhop ſhall haue one entierly to himſelfe: his Scribe, and Commiſſarie ſhall haue the other part thereof, equally to be deuided among them, for their coſtes and paines in that behalfe. And if the Tare be vnder xl. ſ. & not vnder xx vj. ſ. viij. d. the ſame Tare ſhal be deuided into two parts, whereof the one part ſhall be to the King, his heires & ſucceſſors, deducting thereof v. ſ. for the Clerke of the Chauncerie, for his

paines,

paines, as is afoꝛeſaid: And the other part ſhalbe tothe ſaid Archbiſhop, and his offi-
cers: which other part ſhal be deuided into two parts, whereof the Archbiſhop ſhal
haue one, & his Scribe, & Commiſſarie ſhall haue the other, equally deuided a-
mongſt them. And if the Tare be vnder xxvj. ſ. viij. d. and not vnder xx. ſ, the
ſame ſhal be deuided into two parts, whereof the King, his heires & ſucceſſoꝛs ſhall
haue the one part entierly, abating y. ſ. thereof to the ſaid Clerke of the Chaunce-
rie: and the Archbiſhop & his officers ſhall haue the other part: and the ſame other
part ſhall be deuided into thꝛee parts, whereof the Archbiſhop ſhall haue one, his
Commiſſarie the ſecond, and his Scribe, oꝛ Regiſter the third. And in caſe the
Tare be vnder xx. ſ, the ſame ſhall be perceiued to the vſe of the ſaid Commiſſarie,
Clerke of the ſaid Archbiſhop, and Clerke of the Chauncerie, to be equally deuided
amongſt them foꝛ their paines and labour. 25. H. 8. 21.

Diſpenſati-
ons by other
Pꝛelates.

12 Pꝛouided alwayes, that this Act ſhall not be pꝛeiudiciall to the Archbiſhop
of Yoꝛke, oꝛ to any Biſhop, oꝛ Pꝛelate of this Realme: But they may lawfully
(notwithſtanding this Act) diſpence in all caſes, in which they were wont to diſ-
pence by the Common Law, oꝛ Cuſtome of the Realme, befoꝛe the making of this
Act. 25. H. 8. 21.

Diſpenſati-
ons by the
Gardian of
Spiritualties

13 If it happen the Sée of the Archbiſhopꝛicke of Canterburie to be void, then
all ſuch maner of Licences, Diſpenſations, Faculties, Inſtruments, Reſcripts,
and other wꝛitings which may be graunted by vertue of this Act, ſhall (during the
vacation of the ſame Sée) be had, done, and graunted vnder the name and Seale
of the Gardian of the Spiritualties of the ſaid Archbiſhopꝛicke foꝛ the time being,
accoꝛding to the tenour and foꝛme of this Act, and ſhall be of like foꝛce and effect,
as if they had bẽn graunted vnder the name and Seale of the Archbiſhop foꝛ the
time being. 25. H. 8. 21.

Archb. deni-
eth to graunt
diſpenſations.

14 If the ſaid Archbiſhop, oꝛ Gardian of Spiritualties foꝛ the time being,
refuſe, oꝛ denie to graunt any Licences, Diſpenſations, Faculties, oꝛ other wꝛi-
tings, which they be authoꝛized to doe, by vertue of this Act, in ſuch manner and
foꝛme, as is befoꝛe remembꝛed, to any perſon oꝛ perſons that ought vpon a iuſt,
good, and reaſonable cauſe to haue the ſame, by reaſon whereof this Act by their
wilfulneſſe, negligence, oꝛ default, ſhould take none effect: Then the Loꝛd Chaun-
celloꝛ of England, oꝛ Loꝛd kẽper of the great Seale foꝛ the time being, vpon
any complaint thereof made, ſhall diꝛect the Kings wꝛit to the ſaid Archbiſhop,
oꝛ Gardian, denying oꝛ refuſing to graunt ſuch Licences, Diſpenſations, oꝛ &c.
enioyning him by the ſaid wꝛit, vpon a certaine paine therein to be limitted by
the diſcretion of the ſaid Chauncelloꝛ, oꝛ Loꝛd Kẽper &c. that he ſhall in due
foꝛme graunt ſuch Licence, Diſpenſation, oꝛ &c. accoꝛding to the requeſt of the
pꝛocuꝛoꝛs of the ſame: Oꝛ elſe ſignifie to the King, his heires oꝛ ſucceſſoꝛs in
the Court of Chauncerie, at a certaine day, foꝛ what cauſe he refuſed and de-
nied to graunt ſuch Licence, Facultie, oꝛ Diſpenſation. And if it ſhall appeare to
the ſaid Chauncelloꝛ, oꝛ Loꝛd Kẽper &c. vpon ſuch certificat, that the cauſe of
refuſall oꝛ deniall of graunting ſuch Licence, Facultie, oꝛ Diſpenſation was rea-
ſonable, iuſt, and good: that then it ſo being pꝛoued by due ſearch and examina-
tion of the ſaid Chauncelloꝛ, oꝛ Loꝛd Kẽper, to be admitted and allowed. And if
it ſhall appeare vpon the ſaid Certificat, that the Archbiſhop, oꝛ Gardian, of wil-
fulneſſe in contemning the due execution of this Act, without a iuſt and reaſo-
nable cauſe refuſed, oꝛ denied to graunt ſuch Licence, Facultie, oꝛ Diſpenſa-
tion: then the King, his heires oꝛ ſucceſſoꝛs, being thereof infoꝛmed, after due
examination had, that ſuch Licences, Faculties, oꝛ Diſpenſations may be
graunted wythout offending the holie Scriptures, and Lawes of God, ſhall
haue authoꝛitie in euerie ſuch caſe, foꝛ the default, negligence, and wilful-
neſſe of the ſaid Archbiſhop, oꝛ Gardian, to ſend his wꝛit of Iniunction vnder
the

the great Seale, commaunding the Archbiſhop, or Gardian, (that ſo ſhall denie or refuſe to graunt ſuch Licence, Facultie, or Diſpenſation) to make ſufficient graunt thereof, according to the effect of this Act, by a certaine day, and vnder a certaine paine in the ſaid writ to be conteined, and to be limitted by the King, his heires or ſucceſſors kings of this Realme. And if the ſaid Archbiſhop, or Gardian, after the receit of the ſaid writ, refuſe, or denie to graunt ſuch Licences, Faculties, or diſpenſations, as ſhal be inioyned him by vertue of the ſaid writ, and ſhew & proue before the King, his heires or ſucceſſors, no iuſt or reaſonable cauſe, why he ſhould ſo doe: Then the ſaid Archbiſhop, or Gardian, which ſhall ſo refuſe to put this Act in execution, according to the ſaid writ of Iniunction, ſhall ſuffer, loſe, & forfait to the King, his heires & ſucceſſors, ſuch paine & penaltie, as ſhall be limitted & expreſſed in the ſaid writ of Iniunction. And ouer that, it ſhall be lawfull to the King, his heires & ſucceſſors, for euery ſuch default, and wilfulneſſe of the ſaid Archbiſhop, or Gardian, to giue power by Commiſſion vnder the great Seale, to two ſuch ſpirituall Prelates or perſons to be named by the King, &c. as will doe, and graunt ſuch Licences, Faculties, and Diſpenſations, refuſed, or denied to be graunted by the ſaid Archbiſhop, or Gardian, in contempt of this Act. 25. H. 8. 21.

Diſpenſations graunted by others.

15 The ſaid two Spirituall Prelates, or perſons, to whom in ſuch caſes any ſuch Commiſſion ſhall be directed, ſhall haue authoritie to graunt euery ſuch Licence, Facultie, Diſpenſation, Inſtrument, and other writings, ſo refuſed to be graunted by the ſaid Archbiſhop, or Gardian, for the time being, by an inſtrument vnder their Seales, taking like fées & charges for the ſame, as is before rehearſed, and not aboue, vnder the paines afore remembred. And euery ſuch Licence, Facultie, or Diſpenſation, for any cauſes or matters, wherunto any confirmation vnder the kings great Seale is appointed by this Act, to be had in maner & forme aboue declared, ſhall be had & obtained accordingly. And ſuch Licences & Confirmations ſhal be had for like fées & charges, as they are aboue ſpecified, and not aboue, vnder the paines aboue mencioned. And euery ſuch Licence, Facultie, Diſpenſation, & other writing to be graunted by the ſaid Prelates, or perſons to be aſſigned by the King, or &c. as is aforeſaid, ſhall be of as good value, ſtrength, & effect, and as beneficiall to the parties procuring the ſame, as if they had bèn made, graunted, and obteyned vnder the name & ſeale of the ſaid Archbiſhop. 25. H. 8. 21.

The Catholike Faith continued.

16 Prouided alwayes, that this Act, nor any thing or things therein conteined, ſhall be hereafter interpreted or expounded, that the King, his Nobles, & Subiects, intend by the ſame to decline, or varie from the Congregation of Chriſtes Church, in any things concerning the verie Articles of the Catholike Faith of Chriſtendom, or in any other things declared by holie Scripture, & the word of God neceſſarie for their ſaluation: but onely to make an Ordinance by policies neceſſary for good conſeruation of this Realme in peace, vnitie, & tranquillitie, from rapine, and ſpoile, inſuing much the old ancient cuſtomes of this Realme, in that behalfe: Not minding to ſeeke for any relieſes, ſuccours, or remedies, for any worldly things, & humane Lawes, in any cauſe of neceſſitie, but within this Realme, at the hands of the King, his heires & ſucceſſors, kings of this Realme, which haue, and ought to haue an Emperiall power and authoritie in the ſame, and not obliged in any worldly cauſes to any other ſuperiour. 25. H. 8. 21. 1. Eliz. 1. S. Eccleſiaſticall &c. 19.

Diſtreſſe.

No diſtreſſe ſhal be driuen forth of the hundred where it was taken.

WHoſoeuer ſhall driue any Diſtreſſe out of the Hundred, Rape, Wapentake, or Lath, where it is taken, (except it be to a Pound ouert within the ſame Shire, being not aboue three Miles diſtant from the place where it is taken) or ſhal impound

impound in ſeuerall places, goods diſtrained for any cauſe at one time, whereby the owner ſhall be conſtrained to ſue ſeuerall Repleuies for the deliuerie of the ſame diſtreſſe, ſhall forfeit to the P. grieued for euery ſuch offence v.li. and treble damages, 1. & 2. P. and M. cap. 12. No man ſhall cauſe a diſtreſſe to be driuen forth of the Countie wherein it was taken, Marlb. 52. H. 3. 4. Weſtm 1. 3. E. 1. 16. No diſtreſſe ſhall be impounded in ſeueral places.

2 Whoſoeuer doth take for keeping in a pound, poundage, or the impounding of any whole diſtreſſe, aboue iiij. d, or doth take ſo much, where leſſe hath vſually been taken, ſhall forfeit to the partie grieued v.li. and ſo much as he taketh ouer the ſaid iiij. d. &c. 1. & 2. P. & M. 12. Poundage money.

3 No man ſhall for any cauſe diſtraine out of his fee, in the Kings high way, or common ſtreete: But the King and his officers hauing ſpeciall authoritie ſo to doe, Marlb. 52. H. 3. 15. Weſt. 1. 3. E. 1. 16. Neither ſhall any man diſtraine in the auncient fees of the Church: but in ſuch poſſeſſions as Eccleſiaſticall perſons haue purchaſed of late, diſtreſſes may be taken, Articuli Cleri. 9. E. 2. 9. In what places diſtreſſe ſhall not be taken.

4 If any man diſtraine an other mans cattell, & driue them into a Caſtle, or forteſſe, & there hold them (being ſolemnly demanded by the Shirife or Bailife) againſt gages & pledges, ſo that the Shirife or Bailife cannot make deliuerance of them to the owner, the Shirife or Bailife taking with him the power of the Countie, or Bailywike, ſhall beate downe the Caſtle, & the plaintife ſhall recouer double dammages for all the loſſe which he hath receiued by his cattell, hinderance of his gaynage, or in other maner (after the firſt demaund of the cattell made by the Shirife or Bailife) againſt him that toke the cattell, or againſt his Lord, if he be not able to anſwer them, Weſt. 1. 3. Ed. 1. 17. If any perſon great or ſmall will not permit the diſtreſſes which he hath taken to be deliuered by the K. officers, according to the Law & cuſtom of the Realm: Or will not ſuffer Summons, attachments, or executions of Judgements giuen in the K. court to be made, he ſhal be puniſhed in the ſame maner, as one which will not ſuffer himſelfe to be iuſtified by the law, & that according to the quantitie of his offence. Marlb. 52. H. 3. 3. S. Returne &c. 5. A diſtreſſe impounded in a Caſtle.

5 If any perſon take reuenge or diſtreſſe of his owne authority, without award of the kings Court, & therof be conuicted: Or if one Neighbour take a diſtreſſe of an other (whereby he hath receiued loſſe) without award of the K. Court, he ſhal make fine according to the quantitie of the treſpaſſe, & neuertheleſſe ſufficient amends ſhal be made to them which haue receiued loſſe by ſuch diſtres. Marlb. 52. H. 3. 1. Damages for a wrongfull diſtreſſe.

6 None ſhall diſtraine any to come to his Court, which is not of his fee, or vpon whom he hath not iuriſdiction by reaſon of his Hundred or Bailiwike: Neither ſhal any man take a diſtreſſe without his fee, or the place where he hath iuriſdiction, or bailiwike, vpon pain to make fine according to the quantity of the offence. Marl. 52. H. 3. 2. Neither ſhal any man diſtrain his freholder to anſwer for his freehold, or any thing therunto belonging without the kings writ. Marlb. 52. H. 3. 22. None but ſutors ſhall be diſtrained to come to a Court.

7 If any diſtraine his tenant for ſeruices and cuſtomes, which he claimeth to be due vnto him, or for any other thing, for the which the Lord of the fee hath cauſe to diſtraine, and after it is found that the tenant doth not owe him any ſuch, the Lord ſhall not therefore make fine, if he do ſuffer the diſtreſſe to be deliuered according to the Law and cuſtome of the Realme, but ſhall be amerced, and the tenant ſhall recouer his dammages againſt him. Marlb. 52. H. 3. 3. The Lord ſhall not make fine for diſtraining his tenant.

8 Diſtreſſes ſhall be reaſonable, according to the quantitie of the debt or damages, and not grieuous, and he that taketh vnreaſonable & exceſſiue diſtreſſes, ſhall be amerced. 51. H. 3. Marlb. 52. H. 3. 4 28. Ed. 1. 12. S. Accompt. to the king 52. Exceſſiue diſtreſſe.

9 No diſtreſſe ſhall be made, but by Bailifes which be knowne and ſworne, and they which doe otherwiſe, and thereof be conuicted, ſhall anſwer to the parties grieued their damages, if they thereof do bring their action of treſpaſſe, & alſo ſhall be grieuouſly puniſhed by the King. Weſtm 2. 13. Ed. 1. 37. Diſtreſſe by Bailifes knowen & ſworne.

10 If

The owner may ſe'd his cattell which be impounded.

10 If the Shirife, or any other do diſtraine an other mans beaſts, they whoſe the cattell be, may giue them meate of their owne, without diſturbance, or paying any thing therfore, whiles they do remaine in the pound. 51. H. 3. de diſtrict. Scaccarij.

Plough cattel and ſheep ſhall not be diſtrained, if &c.

11 No man ſhal be diſtrained by his beaſts which till his land, nor by his ſheepe, for the Kings, or any other perſons debts, ſo long as one may find an other diſtreſſe or other cattels ſufficient, whereof to leuie the debt or thing in demaund, except it be the impounding of beaſts, which a man findeth doing hurt, according to the cuſtom of the Realme. 51. H. 3. de diſtrict. Scaccarij. 28. E. 1. 12.

Selling of diſtreſſe.

12 No cattell, nor other diſtreſſe taken for the Kings debt, nor for any other thing, ſhall be ſold or giuen within fifteene dayes after the taking thereof. 51. H. 3. de diſtrict. Scaccarij. But Collectors appointed for the gathering of money towards the repaire of any decaied Bridge, haue power to diſtraine any perſon which ſhall be tared, and refuſe to pay towards the ſame, & to ſell the diſtreſſe. 22. H. 8. 5. And euery Receiuer, Bailife, and Collector of the Kings lands &c. for lacke of payment of the rents, iſſues, and reuenues within their offices, may diſtraine and ſell the diſtreſſe. 7. Ed. 6. 1. And the Surueiors of wayes in euery Pariſh may leuie the forfeitures by diſtreſſe, & ſell the diſtreſſe. 18. Eliz. 9. And it ſhal be lawful for the Conſtables and Headboroughs of any towne, pariſh, village, or hamlet, to diſtraine the goods of any Inhabitants, which obſtinately refuſe to pay ſuch ratable taration and aſſeſſement which ſhall be made vpon him for his part and portion of money recouered againſt the Hundred vpon the ſtatute of Huy and Crie, and to ſell the diſtreſſe. 27. Eliz. 13.

Bridges 3.

Accompt to the K. 14.

Highwaies 17.

Huy and crie.

1 Euery Shirife ſhall appoint foure Deputies to make Replenies, and deliuer diſtreſſes. S. Shirifes 22.

2 Where a man ſhal diſtrain out of his fee, for arrerages of rents. S. Rents 1. 2. 3.

Dower.

A woman ſhal haue her Quarentine.

A Widow after the death of her huſband, incontinent and without any difficultie ſhall haue her maryage and inheritance, and ſhall giue nothing for her Dower, her maryage, or her inheritance, which inheritance her huſband & ſhee held the day of his death. And ſhee ſhall tarrie in the chiefe houſe of her huſband fortie dayes after his death, within which dayes her dower ſhall be aſſigned her, (if it were not aſſigned her before) or that the houſe be a Caſtle, & if ſhee depart from the Caſtle, then a competent houſe ſhal be forthwith prouided for her, in the which ſhee may honeſtly dwell, vntill her Dower be to her aſſigned, & ſhee ſhall haue in the mean time her reaſonable eſtouers of the common, & for her dower ſhal be aſſigned the third part of all the lands which were her huſbands in his life time, except ſhee were endowed of leſſe at the Church dore. Magna Charta. 9. H. 3. 7. And if any do deforce from a Widow her dower, or Quarentine, of the tenements whereof her huſband died ſeiſed, & after the ſame widow doth by ſuit recouer the ſame, the deforceor ſhall yeeld to the ſame widow her damages, viz, the value of her whole dower from the time of her huſbands death, vnto the day of her recouerie by iudgement, & alſo the deforceor ſhal be amerced at the Kings pleaſure. Mert. 20. H. 3. 1.

Elopement with an Adulterer, forf. of dower.

2 If a wife do willingly forſake her huſband, and go away, and continue with her Adulterer, ſhee ſhall loſe for euer her action to demaund her Dower, which ſhee ought to haue of her huſbands lands, if ſhee be thereof conuict (except her huſband will vpon his owne good will, and without compulſion by Eccleſiaſticall Law reconcile her, and ſuffer her to dwell with him) In which caſe her action ſhall be reſtored againe vnto her. Weſt. 2. 13. Ed. 1. 34.

The wife endowed, though her huſband be attainted.

3 Albeit any perſon ſhal be attainted, conuicted, or outlawed of any miſpriſion of Treaſon, Murder, or felony whatſoeuer, yet euery woman that ſhal be wife of the perſon ſo attainted ſhal be endowable, & enabled to demaund & inioy her dower, in

like

like maner as though her husband had not bẽn attainted, conuicted, or outlawed. 1. Ed. 6. 13. But the wife whose husband shall be attainted of any Treasons whatsoeuer they be, shall in no wise be receiued to demaund or haue dower of any the lands, tenements, or hereditaments of any person attainted of Treason, during the said attaindor in his force: any thing before mentioned to the contrarie notwithstanding. 5. Ed. 6. 11.

4 If any persons doe purchase, or shall haue estate conueied in any lands, tenements, or hereditaments vnto them, and to their wiues, and to the heires of the husband, or to the husband and to the wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the husband and to the wife for terme of their liues, or for terme of life of the said wife: Or if any such estate or purchase of any lands, &c. shall be made to any husband, and to his wife in forme aboue expressed, or to any other person or persons &c. to the vse of the said husband or wife, or to the vse of the wife, as is aboue rehearsed for the iointure of ỹ wife: then in euery such case, euery woman married hauing such iointure made, shall not claime nor haue title to haue any dower of the residue of the lands, tenements, or hereditamets, that at any time were her said husbands, by whom shẽ hath any such iointure, nor shall demaund nor claime her dower against them that haue the lands, and inheritance of her said husband: But if shẽ haue no such ioynture, then shẽ shall be admitted to haue & demaund her dower by writ of Dower, after the course of the common Lawes. 27. H. 8. 10. A woman shal not haue both ioynture and dower of her husbands lands.

5 But if any such woman be lawfully expulsed or euicted from her said Iointure, or from any part thereof, without any fraud or couyn by lawfull entrie, action, or by discontinuance of her husband, then shẽ shal be endowed of as much of the residue of her husbands lands, tenements, or hereditaments, whereof shẽ was before dowable, as the same lands so euicted &c. shall extend vnto. 27. H. 8. 10. If a womans iointure be euicted, shẽ shal be indowed.

6 Prouided, that if any wife shal haue any lands, tenements, or hereditaments vnto her giuen and assured after maryage, for terme of her life, or otherwise in Iointure (except the same assurance be to her made by Act of Parliament) and the said wife after that fortune to ouerliue the same her husband, in whose time the said ioynture was assured vnto her, then the same wife may at her libertie after the death of her husband, refuse to take the lands so to her giuen during the couerture in iointure (except &c.) and thereupon demaund and take her Dower by writ of dower, or otherwise, according to the Common Law, of and in all such lands, tenements, and hereditaments, as her husband was seised of any estate of inheritance at any time during the couerture. 27. H. 8. 10. A womã may chuse whether shẽ will take a ioynture assured after mariage, or her dower.

7 A writ of Dower vnde nihil habet, shall not be abated by the Tenants exception, for that the woman hath receiued her dower of an other man, before the writ purchased, if he cannot shew that shẽ hath receiued part of himselfe, & in the same Towne, before the writ purchased. Westm̃ 1. 3. E. 1. 48. Dower, vnde nihil habet.

8 If a man being impleaded of a tenement doth plainly yeld it to his aduersarie, or doth lose it by default, in both the said cases after the death of the husband, the wife shal be allowed to bring her writ of Dower: And the tenant which recouered by default in the suit commenced against him, shall shew his right, that he hath in the land, according to his former writ, whereby he recouered against the husband. And if he can shew that the womans husband had no right in the lands in demaund, n or any other but himselfe, he shall goe quite, and shẽ shall recouer nothing by her writ of Dower. But if he cannot shew it, the woman shall recouer her dower. Westm̃ 2. 13. E. 1. 4. A woman endowable of lands recouered against the husband.

9 If a woman which is not indowable of the inheritance of an heire within age, doe purchase a writ of Dower against the Gardein, & the gardein by fauour to the woman doth yeld her dower, or maketh default, or defendeth the plea so faintly by collu- The heire recouereth the womans dower.

collusion, whereby the dower is adiudged to the woman, in preiudice of the heire: The same heire when he commeth to full age, shall haue an action to demaund the seisin of his Auncestor against the same woman, as he may haue against any other deforeiour: yet the woman shall haue her exception saued against the demandant, to shew that shee had right to her dower, which if shee can verifie, shee shall go quit, and retaine her dower, and the heire shall be amerced according to the discretion of the Iustices: But if not, the heire shal recouer his demaund. West. 2. 13. Ed. 1. 4.

1 For dowment by the custom of Gauelkind, and what cause of forfeiture thereof. S. Prerog. 16.

2 The King shall haue the reuersion, if Tenant in dower die, during the minoritie of his ward. S. Wils 9.

3 For admeasurement of dower by the gardein or heire. See Admeasurement 1.

4 Where the Kings tenant in chiefe doth intrude and die, his wife shall not be endowed. S Prerog. 13. Liuerie 2.

5 The grauntee or committee of a Ward, shall not haue aide of the King in a writ of Dower. S. Aide &c. 2.

6 Where a woman aliening her dower, or other particular estate, he in the reuersion may enter, or haue his action. S. Women 1. 2.

7 A woman shall haue her dower, though her husband be attainted of certaine offences made Felonie or Treason by statute. S. Treason 5. 6. Rome 1. Sheepe 2. Plague 4. Matrimonie 10. Coniuration 3.

8 Presentation to a Church by an vsurper during the estate of Tenant in dower, shall not preiudice him in the reuersion. S. Aduowson 1.

9 A woman consenting to a Rape shall forfeit her Dower. S. Rape 3.

10 Where view shall not be graunted in a writ of Dower. S. View 1.

Draperie.

Cloth of Ray. EVery Cloth of Ray to be measured by the list shall containe in length xxviij. yards, and being watered and rowed xxiij. yards, and in breadth vj. quarters: and the halfe Cloth according to that rate, vpon paine of forfeiture of the same. 2. E. 3. 14. 47. E. 3. 1. 7. H. 4. 10. 13. H. 4. 4.

White streits. 2 No peece of plaine white streites, or pinned white streites made in the Counties of Deuon, & Cornewall, shall be made aboue xij. pounds in weight, xiij. yards in length, or one yard in breadth, vpon paine of forfeiture of the same, or the value thereof. 27. Eliz. 18. S. B. 57.

Lancashire cotton. 3 Euery peece of Lancashire Cotton, being sufficiently milled or thicked, clean scoured, well wrought, & fully dried, shall weigh xij. pounds at the least, & containe in length xij. goades, or twentie at the least, & in breadth at the most three quarters of a yard, or within one naile of three quarters of a yard at the most, vpon paine to forfeit for euery pound weight lacking vnder three pounds xij. pence, & for euery pound lacking aboue ij. pounds v. shillings to the Q. and I. 8. Eliz. 12.

Lancashire frizes, rugs. 4 Euery peece of Lancashire Frizes or Rugges, being thicked and fully dried, shall weigh xliij. pounds at the least, and shall containe in length betwixt xxxv. and xxxvij. yards, and shal containe in breadth at the most three quarters of a yard, or within one naile of three quarters at the least, and not to be strained vpon the Mentors aboue one naile in breadth, vpon paine of forfeiture vt supra &c. If any of the said Cottons, Frizes, or Rugges shal be of any greater length: then euery yard so exceeding shall weigh after such rate as aforesaid, vpon paine of forfeiture for euery yard not weighing after the rate xij. pence. 8. Eliz. 12.

Broad cloth in Kent, Sussex, Reding. 5 Euery broad Cloth made within Kent, Sussex, or the Towne of Reding, or elsewhere of like making, as the Clothes made there shall be of, shall containe in

length

lengthe at the water, euery péece being throughwette, betwixt xxviij. and xxx. yards of measure that now is customably vsed, & in breedth 7. quarters within the lists by the whole lengthe of the same cloth, the listes to be of like making, and assise, as they haue heretofore bin vsed. And euery péece of ỹ said clothes being well scoured, thicked, milled, and fully dried, shalbe in weight 86. li. at the least. 5. Ed. 6. 6. 4. & 5. P. & M. 5. S. Br. 129. & 162.

Long Worcesters.

6 All and euery white Cloth made in the citie of Worcester, commonly called Long Worcesters, & all like clothes of like making made within the city of Couentry, or elsewhere, shall containe in lengthe being wet betwixt 29. and 31. yards the péece, & to euery yard one ynch of the Standard, & shalbe of the breadth aboue specified by all the lengthe of the cloth, & listed as hath bin accustomed, & being well scoured, thicked, milled, and fully dried, shall weigh 75. li. at the least. 5. Ed. 6. 6. 4. & 5. P. & M. 5. S. Br. 130. 162. AL.

Coloured clothes.

7 All & euery coloured cloth made in the said cities of Couentry & Worcester, or elsewhere of like making, shalbe of the like length & breadth, as is last mentioned, & be listed as aforesaid, & being well scoured, thicked, & fully dried, shal weigh 80. li. at the least. 5. E. 6. 6.

Short Worcesters.

8 All & euery white cloth, called short Worcesters, made within the said city or county, or elsewhere of the same sort, shall containe in lengthe being wette, betwixt 23. and 25. yards, yard and ynch of the rule, and shalbe of the breadth throughout, and by all the whole cloth, and listed, according to the auncient custome, and being well scoured, thicked, and fully dried, shall weigh 60. pounds the péece at the least. 5. Ed. 6. 6.

Coloured lõg clothes in Suffolke, Norfolke, and Essex.

9 All and euery coloured long cloth made within Suffolke, Norfolke, & Esser, or elsewhere of like sort, shall containe in lengthe wet betwéene 28. and 30. yards, yard and ynch of the rule, and shal be in breadth vij. quarters of the yard within the lists at the least throughout the whole cloth, & listed as hath bin accustomed, & being well scoured, thicked, milled, & fully dried, shall weigh 76. li. at the least. 5. Ed. 6. 6. 43. El. 10. S. Br. 131. 162. AL.

Coloured short clothes.

10 All and euery coloured short cloth made within any of the said shires, or elsewhere of like sort, shall containe wet betwéene 23. and 25. yards, yard and ynch of the rule, and shal be in breadth six quarters and a halfe being wet, throughout and by the whole cloth, and being fully scoured, milled, thicked, & dried, shal weigh 11. li. the péece at ỹ least. And euery course short cloth to be made within the shire of Kent not exceeding the price of vj. li. shalbe of the same breadth. 5. E. 6. 6. 4. & 5. P. & M. 5. 43. El. 10. S. Br. 132. 162. AL.

Handy warps

11 All and euery coloured cloth made within the said shires of Suffolke, Norfolke, and Esser, or elsewhere of like sorts, commonly called handy warpes, of what length they shall happen to be: And all whites made in the said shires, or elswhere, as Cockshall whites, Glainsfords, & other, being handy warpes, of what lengths soeuer they shalbe, shal containe in breadth vij. quarters, & be listed, as aforesaid, and being wel scoured, milled, thicked, & fully dried, shal weigh by the yard y. li. & a halfe at the least. 5. E. 6. 6. 4. & 5. P. & M. 5. S. Br. 134. 162. AL.

Whites and reds.

12 All Whites & Reds made in the counties of Wiltshire, Glouceſter, and Somerset, or elsewhere of like making, and all other whites made in any other part of this Realme not before remembred, shal containe in length being throughwet betwixt 26. & 28. yards (& being throughly wet, vj. quarters & a halfe within the lists, vnwrought & listed, 27. El. 17.) and being scoured, thicked, milled, & fully dried, shall weigh euery péece being white 61. & being coloured, 60. li. at the least. 5. Ed. 6. 6. 4. & 5. P. & M. 5. S. Br. 137. & 162.

Plunkets, azures, blewes.

13 All broad Plunkets, Azures, Blewes, and other coloured cloth, made in the shires of Wiltshire, Glouceſter, & Somerset, or elsewhere of like making, shal con-

taine being wet, betwixt xxv. & xxviij. yards, yard & ynch of the rule (& being thogh wet fire quarters & a halfe at the leaſt, 35. El. 9.) and being well ſcoured, thicked, milled, & fully dried, ſhall weigh lxviij. li. at the leaſt. 5. Ed. 6. 6. 4. & 5. P. & M. 5. S. Br. 135. & 162.

Ordinarie Kerſies. 14 All Kerſies called Ordinaries, ſhall containe in length betwixt xvij. & xviij. yards, yard & ynch, & being well ſcoured, milled, thicked, dreſſed, & fully dried, ſhall weigh ſix. pounds at the leaſt. And all Kerſies called Sorting Kerſies, ſhal contain in length at the water betwixt xvij. & xviij. yards, & being well ſcoured &c. ready to be ſhewed, ſhall weigh xxj. pound the peece at the leaſt. 5. E. 6. 6. 4. & 5. Ph. & M. 5. S. Br. 104. 105.

Sorting Kerſies.

The length & weight of ordinarie & ſorting Kerſies. 15 Kerſies called ordinary Kerſies ſhall not exceed the length of xxiij. yards to be meaſured by the yard and inch, and euery ordinary Kerſie of the length of xxiij. yards aforeſaid being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh twentie and eight pounds, and one halfe pound at the leaſt. And Kerſies called Sorting Kerſies ſhall not exceed the length aforeſaid: and euery Sorting Kerſie of the length of twentie foure ſuch yards as aforeſaid, being well ſcoured, thicked, milled, dreſſed, and fully dried, ſhall weigh two and thirtie pounds, and one halfe pound at the leaſt. And euery Kerſie of a ſhorter length then xxiij. ſuch yards, as aforeſaid, ſhal weigh proportionably to the foreſaid weight, that is to ſay, Euery ordinarie Kerſie after the rate of one pound and three ounces weight for euery yard, that the ſame ſhall containe in length: and euery Sorting Kerſie after the rate of one pound three ounces, & one halfe ounce in weight, for euery yard that the ſame ſhall containe in length. And if it happen that any Kerſie or Kerſies, hereafter to be made, ſhall either exceed the ſaid length of twentie foure ſuch yards, as aforeſaid, or ſhall not weigh according to the reſpective rates and proportions aforeſaid, then euery perſon or perſons that ſhall make or cauſe the ſame to be made for ſale, ſhall loſe for euery yard of ſuch kerſie exceeding the length of twentie foure ſuch ſaid yards, the ſumme of fiue ſhillings only and no more, And for euery pound weight that ſhall be wanting according to the proportions before reſpectiuely limited, ſhall forfeit two ſhillings for euery pound and no more, Any former lawes, or ſtatutes, limiting any other or greater penaltie or forfeiture to the contrarie thereof in any wiſe notwithſtanding. The one moitie of the ſaid ſummes, penalties, and forfeitures to be the King, his heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame, in any his Maieſties Courts of Record at Weſtminſter, by B. P. or J. Wherein no E. P. W. &c. Prouided that euery perſon and perſons, ſelling, or trading any ſuch kerſie or kerſies, ſhall paie vnto the King for euery peece of kerſie containing twentie foure yards, as much in cuſtome and ſubſedie ratably, as ſuch perſon or perſons ſhould and ought to paie vnto his Maieſtie for one peece & a third part of a peece containing xviij. yards. 3. Iacob. 16.

The cuſtome and ſubſidies of Kerſie.

Taunton and Bridgewater broad clothes. 16 Euery broad cloth made in Taunton, Bridgewater, and other places of like ſort, ſhall containe at the water in length betwixt twelue and thirteene yards, yard and inch of the rule, in breadth ſeauen quarters of the yard, and beeing well ſcoured, milled, thicked, and fully dried, ſhall weigh thirtie pounds the peece at the leaſt. 5. Ed. 6. 6. 43. El. 10. S. Br. 141.

Narrow clothes. 17 Euery narrowe cloth made in the ſaid Townes, and elſe-where of like ſorts, ſhall containe in the water in length betwixt twentie foure and twentie fiue yards, yard and inch of the rule, and in breadth one yard of like meaſure, and being well ſcoured, &c. ſhall weigh xxx. li. at the leaſt. 5. E. 6. 6. 43. El. 10. S. Br. 142.

Checke Kerſies. 18 All Clothes named Checke kerſies, and ſtreites ſhall containe in length beeing wet, betwixt xvij. and xviij. yards, with the inches as aforeſaid, & in breadth one yard at the leaſt at the water, and being well ſcoured, thicked, milled, and fully dried ſhall weigh twentie foure pounds the peece at the leaſt. 5. Ed. 6. 6. S. Br. 145.

19 Euery

19 Euery Goad of Welsh lining shal contain three quarters of a yard in bredth in the water, and shall weigh one pound & halfe a quarter. And euery yard of cotton being fully wrought and cottoned, shall weigh one pound at the least. 4. & 5. Ph. & M. 5. S. 1. Iac. 25. No person or persons shall incurre any penalty for want of any content Seale, to containe the length, breadth, or weight of any Welsh cottons. And no Welsh cottons shall at any time hereafter be searched or tried in the water by any person or persons, other then by the buyer thereof, vpon paine to forfeit for euery such offence by the party who shall make any such search or triall contrary to the intent of this statute, v.l. to the King and the party grieued, to be recouered by Action, Bill, Plaint, or Information, &c. wherein no Essoine, Protection, or Wager of law, &c. 3. Iac. 17. Welsh lining.

20 All Welsh frizes made within the shires of Cardigan, Carmarden, & Penbroke, or elsewhere of like making, ready to be sold for a whole peece, shal containe in length at the water thirtie and six yards wet at the most, yard & inch of the rule, & in bredth three quarters of a yard, & being fully wrought, shal weigh euery whole peece forty and eight pounds at the least. And euery halfe peece of Welsh frizes being fully wrought, shal containe in length, breadth, & weight after the same rate. 5. Ed. 6. 6. Welsh frizes. A halfe peece.

21 Euery Northerne cloth shall containe betweene twenty three and twentie fiue yards in length, yard & inch of the rule, & in breadth being through wet, seuen quarters of a yard within the lists, and being well scoured, thicked, milled, & fully dried, shall weigh three score and two pounds the peece at the least. And euery halfe peece called dozens shall containe in length betwirt ry. and riy. yards, by. quarters of a yard in breadth, and being well scoured, &c. shall weigh rrrj. l. at the least. 5. Ed. 6. 6. 43. El. 10. Northrē cloth Dozens.

22 All clothes called Penistones, or forrest whites, shall containe in length betwirt ry. & riy. yards, yard & inch, & in bredth vj. quarters & a halfe out of the water at the least, & being well scoured, milled, thicked, & fully dried, shall weigh rrviy. l. the peece at the least. 5. Ed. 6. 6. S. Br. 146. 162. Penistones.

23 Al cottons called Manchester, & Chesshire cottons which shalbe ful wrought to the sale, shalbe in length twenty and two Goades, and containe in bredth three quarters of a yard in the water, and shall weigh thirty pounds the peece at the least. 5. Ed. 6. 6. Manchester Cottons.

24 All Clothes, called Manchester Rugges, or Manchester Frizes, which shalbe fully wrought to the sale, shall containe in length rrrvj. yards, in bredth three quarters of a yard comming out of the water, and shall not be stretched on the Tentor, or otherwise, aboue a naile of a yard in bredth, and being so fully wrought and well dried, shall weigh euery peece rlviy. pounds at the least. 5. E. 6. 6. which cottons, rugges, or frezes, may be diuided into two halfe peeces, and shall containe and be, after the rate of such bredth and weight as is aforesaid. 4. & 5. P. & M. 5. Manchester rugs or frizes.

25 No woollen broad cloth, halfe cloth, kersey, cotton, dozen, penikon, frize, Rugge, or any other woollen Cloth, of what nature, kind, or name soeuer they be, or shalbe of, shal (being well scoured, thicked, milled, & fully dried) exceed the seuerall length, or lengths, which heretofore is limitted and appointed, respectiuely for euery such broad woollen cloth, half cloth, kersey &c. and other woollen cloth, of what nature, kind, or name soeuer they be of, & ought at this time to be of, by the seuerall Statutes limitted and appointed, vpon paine of forf. of euery such broad woollen cloth, halfe cloth &c. and euery other woollen cloth, of what nature, name &c. 43. El. 10. S. Br. 158. 162. No woollen clothes shall exceede their appointed lengths.

26 Euery woollen broad cloth, halfe cloth, kersey, cotton, dozen, penistone, frize, rugge, and euery other woollen cloth, of what nature, kind, or name soeuer they be, The weight of woollen Clothes.

or shall be of, shall (being well scoured, thicked, milled, and fully dried) weigh respectiuely the true weight which is heretofore limitted and appointed, for euery such broad cloth, halfe cloth, kersey &c. and euery other woollen cloth, of what nature, kinde, or name soeuer they bee, or shall be of, to weigh, and ought at this present to weigh by the seuerall Statutes therefore limitted and appointed, sauing that
S.Br.16.17. Taunton Clothes, Bridgewaters, and such Clothes as shal be made in Taunton, Bridgewater, and other places of like sort & making, and limitted to weigh 34.l. at the least, shall and may from henceforth (being well scoured, thicked, milled, wrought, and fully dried) weigh onely xxx.l. any former Statutes &c. notwithstanding. And sauing that
S.Br.9.10. Suffolke, Norfolk, Essex, & Northren cloth, limitted by the seuerall statutes of 5. Ed. 6. & 4. & 5. P. & M. or one of them, to weigh the seuerall weights therein mentioned, shall & may be abated for the workmanship of the whole cloth iiij.l. and for the halfe cloth ij.l. in the weight thereof, as the same Norfolke, Suffolke, and Essex clothes are allowed by her Highnesse tolleration by proclamation. And if it shal happen any of the said broad woollen clothes, halfe clothes, kerseyes, cottons, dozens, penistones, frizes, rugges, or any other woollen cloth, of what nature, kind, or name soeuer they be, or shall be of, made, or to be made to be sold, shall lacke (being well scoured, thicked, milled, wrought, & fully dried) of the weight therefore respectiuely limitted, & which ought to be of ỹ weight by this present Act, aboue three pounds in any whole broad woollen cloth, & aboue one pound & the halfe of one pound in one halfe broad cloth, Taunton cloth, Bridgewater, or other cloth of like sort, Or aboue one pound in one Kersey, cotton, dozen, penistone, frize, rugge, or any other woollen cloth respectiuely, of what nature, kind, or name soeuer they be, or shalbe of: Thē the offendor shal forf. for one pound wanting more then as aforesaid, 10.s. and for two pounds 20. s. and for three pounds 40. s. and so double the forf. for euery pound so wanting, vnlesse the party offending by such wanting, will yeeld the same cloth, halfe cloth, kersey, cotton, dozen, &c. so wanting forfeited, which if he will yeeld, then the same so wanting shall be forfeited: Any former law, statute, &c. notwithstanding. The moity of all which forf. shalbe to the Searchers and Duersers that shall and will find the same, and the other halfe to the poore of the parish where the offence shalbe committed. 43. El. 10. 1. Iac. 25. To continue vntill the end of the first Session of the next Parliament. S. Br. 159. &c. & Br. 162. AL.

The forf. for wāt of weight

Forf. for default of weight or measure.

27 Euery person which shal make or cause to be made, any of the seueral kinds of broad clothes aboue rehearsed, of any shorter or longer measure then is aboue specified in the Statute made 5. Ed. 6. & 4. & 5. P. & M. and appointed for euery Countrey, or seuerall kind of clothes to be made, or make any such cloth of lesse breadth, being well scoured, thicked, milled, and fully dried, then is aboue specified and appointed for euery seuerall countrey or kinds of clothes, and shall put the same to sale, shall forfeit for euery such default of euery cloth sold or offered to be sold in length or breadth, fortie shillings. And euery person which shall make or cause to be made any of the seuerall kindes of kerseies, narrow clothes, straits, dozens, frizes, or cottons aboue mentioned, which shall not be made in such manner and forme, as is aboue said, nor containe in length and breadth seuerally appointed, as is aboue specified, shall forfeit for euery peece of such cloth so made and sold, or offered to be sold, twentie shillings. And if any such cloth or kersey shall lacke of such weight, as by the said Statute it is appointed to haue: Then the maker thereof, or other person in whose possession the same shall be found, shall forf. for euery pound lacking aboue foure pounds, fiue shillings: And also for euery pound not exceeding foure pounds, two shillings to the King and Informer, to be recouered by A, I. wherein no Wager &c. Essoine, Protection, &c. 5. Edward. 6. 6. 4. & 5. Ph, & Ma. 5. S. Br. 129. 158. 159. 160, &c. & Br. 162. AL.

If

If any of the clothes called broad Plunkets, Azures, Blewes, and other coloured cloth made within the Shires of Wiltshire, Glouceſter, or Somerſet, or elſewhere of like making, ſhal not containe ſix quarters and an halfe at the leaſt within the liſts, as is aforeſaid: Then euery perſon offending in that behalfe, ſhall for euery ſuch cloth be ſubiect vnto ſuch pains, penalties, & forfeitures, as were, by force of the former ſtatute of 5. Ed. 6. to haue bene forfeited, for want of breadth of ſeuen quarters within the liſts. And if any of the ſaid broad Plunkets, Azures, Blews, or other coloured clothes, being well ſcoured, thicked, milled, & fully dried, ſhal containe in weight any leſſe then threeſcore & eight pounds at the leaſt: Then euery of the ſaid Clothiers therein offending, ſhall incurre double ſuch penalties and forfeitures, for euery pound ſo wanting of the ſaid weight, and not weighing after ſuch rate, as is before expreſſed, in and by the ſaid ſtatute made 5. Ed. 6. is limitted & appointed. And if any of the clothes to be made within the Countie of Somerſet, or elſewhere, of like making, called Plunkets, Azures, and Blewes, being wel ſcoured, thicked, milled, and fully dried, ſhall containe in weight any leſſe then threeſcore and eight pounds at the leaſt, or if any of the ſaid clothes ſhall containe in length any more then twentie and ſeuen yards at the moſt: Then euery of the ſame Clothiers therein offending, ſhall incurre double ſuch penalties and forfeitures for euery pound ſo wanting, as by the ſaid ſtatute of 5. Edw. 6. are to ſuch defaults limitted & appointed: And for euery yard that any ſuch cloth ſhall containe aboue twenty & ſeuen yards in length, & not weighing after ſuch rate as is before expreſſed, the maker of euery ſuch cloth ſhall incurre double the penalties by the ſtatute of 4. & 5. P. & M. to ſuch defaults limitted & appointed. 35. Eliz. 9. S. Br. 25. 26. S. Br. 135, 136, 137, 138, 139, & Br. 162. AL.

Plunkets, Azures, Blewes.

Breadth.

Weight.

Length.

28 If any Whites or Reds made in the Counties of Wiltshire, Glouceſter, and Somerſet, or elſewhere, of like making, or any other Whites ſhall not contain ſix quarters and a halfe at the leaſt within the liſtes, as is aforeſaid: Then euery perſon offending in that behalfe, ſhal for euery ſuch cloth be ſubiect vnto ſuch pains, penalties, and forfeitures, as were by force of the ſaid ſtatute of 5. E. 6. to haue bene forfeited for want of breadth of ſeuen quarters within the liſts, viz. he ſhall forf. for euery ſuch default of euery cloth ſold, or offered to be ſold, xl. s. to the finder thereof. And if any cloth to be made in any of the ſaid counties, or elſwhere, of like making, called narrow liſted Whites, being well ſcoured, thicked, milled, and fully dyed, ſhall containe in weight any leſſe then lxj. pounds at the leaſt: Or if any cloth to be made in any of the ſaid Counties, or elſewhere of like making, called broad liſted Whites, being well ſcoured, thicked, milled, & fully dried, ſhal containe in weight any leſſe then ſirtie three pounds at the leaſt: Or if any of the ſaid clothes, called narrow liſted, or broad liſted whites, ſhal contain in length any more then betwirt 26. & 28. yards at the moſt: Then euery of the ſaid Clothiers therein offending, ſhal incurre double ſuch penalties and forfeitures for euery pound ſo wanting of the ſaid ſeuerall weights aboue limitted, and for euery yard ſo exceeding in length, and not weighing after ſuch rate as is before expreſſed, as by the foreſaid Statute of 4. & 5. Ph. and Ma. 5. is prouided and appointed, viz. he ſhall forfeit for euery yard exceeding in length, 10. s. and for euery pound lacking aboue iiij. pound, 10. s. and for euery pound not exceeding iiij. pound, iiij. s. 27. El. 17. 35. El. 7. S. Br. 137.

whites & reds made in Wilt. Glouc. Somerſetſhire.

Narrow liſted whites.

Broad liſted whites.

29 No Draper, Marchant Taylor, Clothworker, or other perſon, which ſhall retaile any clothes or kerſeyes, frezes, rugges, or cottons, of the ſeuerall makings ſpecified in the Act made 5. Ed. 6. ſhall put to ſale any of the ſaid clothes, whereunto the Aulneger ſhall haue ſet the Kings ſeale, & the owner his ſeale, till he haue made triall aſwell by the water, as by the weight & meaſure, whether they ſhall be made according to the purport and true meaning of the ſaid Act, or no. And if any perſon

The draper ſhall trie the cloth, and preſent the faulty.

ſhall find any defectiue or faulty cloth, in length, weight, or meaſure, made contrarie to the orders aforeſaid: Then he ſhall preſent euery ſuch cloth to euery Mayor, Bailife, or other head officer, or head officers of euery city, borough, or towne corporat, or to the two Iuſtices of peace next adioining out of a city, borough, or town corporat, where ſuch cloth ſhalbe found faulty, to the intent the ſame cloth may be cut in iij. equall pieces: The one piece thereof to be forf. to the King, another to the preſenter thereof, & the third part reſidue to ſuch perſon or perſons as it ſhal then be preſented to, vpon paine that euery ſuch perſon as ſhal ſo ſearch euery of ỳ clothes, kerſeies, cottons, or frizes aforeſaid, ſo by him bought & ſold, & ſhall not ſeize & preſent ſuch cloth as he ſhall find defectiue, ſhall forfeit the double value of euery ſuch cloth. 5. Ed. 6. 6. 25. E. 3. 1. S. Iuſtices of peace 83.

Repaiment of mony receiued for faulty cloth

30 Euery clothier or other perſon whatſoeuer, which ſo ſhall ſell any ſuch faultie kerſey, cotton, or frize, wherunto the Aulneger & the owner ſhal haue ſet to their ſeales, and ſhal be ſo ſeiſed as is aforeſaid, ſhall within xiiij. dates next after requeſt made by writing, meſſage, or otherwiſe, by ſuch perſon which ſhal ſo buy ſuch cloth, make paiment of ſuch ſums of money as he receiued for the ſame, or otherwiſe ſhall ſatiſfie, diſcharge, & acquite him for ſo much mony, as he ſhould haue receiued for ỳ ſame, vpon pain of forf. to the party grieued for euery nonpaiment, or not acquitall, the double value of the mony ſo receiued &c. to be rec. by A. B. P. &c. wherin no M. &c. E. P. &c. 5. Ed. 6. 6. S. 5 Br. 1. 161.

Searchers of cloth.

31 Aſwell the Mayor of London & Aldermen, or the more part of them, as euery other Mayor, Bailife, and head Officer of euery citie, borough, or towne corporat within this Realme, ſhall from time to time appoint two or moe honeſt, diſcreet, & expert perſons, which ſhal from time to time vpon their oathes view and ſearch all clothes that ſhall be dreſſed, dyed, or preſſed with the cold preſſe, within euery ſuch city, borough, town corporat, or port town, & view & ſearch whether ỳ ſame clothes be well & ſufficiently dreſſed & preſſed with the cold preſſe, without putting thereto

Deceitfull things put in cloth.

flocks, ſolace, chalke, flower, or any other deceitfull thing, & alſo whether the ſame ſhalbe well dyed with good & perfect colours, without any deceiuable thing, or whether it ſhalbe ſtreined any more then in this ſtatute is ſpecified, & ſhall haue power to enter into euery perſons houſe where they ſhall thinke meet, to ſearch and ſeize euery ſuch cloth as they ſhall find defectiue in the premiſſes, in whoſe hands ſoeuer they ſhalbe found, as forf. to the King & to the Mayor & Comminaltie of the city, borough, town corporat, port town, or market town where ỳ ſame ſhalbe ſeiſed. And euery perſon in whoſe poſſeſſion ſuch defectiue or faulty cloth, either by euil dying, dreſſing, or preſſing ſhalbe found & ſeized, ſhall haue his remedy (by A. I. &c. wherein no M. &c. E. P. &c.) againſt euery ſuch perſon by whoſe default or negligence ſuch cloth ſhall ſo be found faultie, and ſhall thereby recouer all ſuch coſts, loſſes, and damages, as he ſhall ſuſtaine by occaſion thereof. And euery Mayor, head Officer, &c. of any citie, borough, or towne corporat, in which any clothes ſhalbe made, dyed, dreſſed, or preſſed with the cold preſſe, which doe not appoint ſo many Searchers as ſhalbe requiſite to ſearch and view clothes vpon their oathes, ſhal forf. for euery default x. l. to the K. & I. to be recouered by A. I. &c. wherin no M. &c. E. P. &c. 5. Ed. 6. 6.

Seale of lead in euery corporat towne.

32 Alſo the Mayor of London, as euery other Mayor, Bailife, Portreeue, or other head Officer of euery citie, borough, towne corporat, or port towne, ſhall cauſe to be prepared a Seale of Lead, wherein as well the armes, as the name of euery ſuch citie, borough, towne, &c. ſhall be grauen, which the ſame Searchers ſhall cauſe to be fired to euery cloth that they ſhall find well and ſufficiently dreſſed, dyed, and preſſed, with the cold preſſe without any of the deceits aforeſaid, and ſhall haue for their paines by the owner thereof for the ſealing of euery cloth y. d. 5. Edw. 6. 6.

33 If any Searchers doe finde any of the clothes beeing coloured or dyed, either cockly, purlie, bandy, squaly, or rowy, or euill burled, or wasked in the mill, or full of holes, or bracks, then they shall besides the seale of the citie, borough, or towne corporat, where the same cloth shall be found, put another seale of Lead at euery end of the said cloth, wherein shalbe grauen the letter (F) and shall also set a marke in the lisk, right against such place where any of the faults aforesaid shalbe, with the point of a Letter or marke of an inch compasse at the least, whereby euery buyer may well know what and where the fault is. And if any of the aforesaid Searchers doe set the seale of any citie, borough, &c. to any cloth which shall haue any of the foresaid faults, and doe not set at euery end of the clothes one seale with the letter (F) Then the Cõminaltie of euery such citie, borough, &c. where such Searcher shall be appointed, shall forf. for euery such omission v. l. to the King and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. 4. and 5. P. and M. 5. S. Br. 53. How faultie cloth shall be sealed. The cõminalties forf. for the searchers fault.

34 The seale of euery borough or towne corporat, appointed for the sealing of any kind of cloth, shall be fixed to euery such kind of cloth beeing well made within such citie, borough, or towne corporat, which cloth so sealed with the seale of any citie, borough, or towne corporat, shall not be searched, tried, or viewed by any searcher or sealer of any other citie, borough, or towne borporat, by vertue of his said office. 4. and 5. P. and M. 5. Cloth sealed in one borough shall not be searched in another.

35 If any of the said searchers so appointed by the Maior, Bailife, or other head Officer of any citie, borough, or towne corporat, hauing no reasonable excuse, doe refuse to be a searcher, and doe not vse the office of a searcher, he shall forfeit for euerie such refusall and not executing of his office v. l. to the King, and the vse of the Cõminaltie of euery citie, borough, &c. where he shall be assigned, and also shall remaine in ward, till hee hath paied the said forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. 5. Ed. 6. 6. Refusing to be a Searcher.

36 The searchers or sealers and euery one of them, haue authoritie in the day time, to enter into euery house of euery person, where he or they shall thinke meete, to search and to trie euery kind of clothes, kersies, frizes, and rugs, as they shal find defective, either in length, breadth, or weight, and the same to trie by water and weight, and also to search and seise as forfeit euery cloth made of other colours then in this Act is appointed. 4. and 5. P. and M. 5. The searchers or sealers may enter into euery mans house.

37 If any person shall denie, withstand, or withhold any clothes, kerseies, frizes, or rugges, from the said sealers or searchers, or any of them, or will not suffer them to enter into their shops, warehouses, houses, or places where their clothes &c. shall be, the same to be searched and tried as is aforesaid: Then hee so denying or withstanding, for euery such withstanding, withholding, or deniall, shall forfeit x. li. to the K. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 4. and 5. P. and M. 5. Denying of search.

38 It shall not be lawfull for any of the said searchers or sealers, or any other person, to search any woollen cloth, or kersey, whereunto the seale of a citie, borough, or towne corporat shall be fixed, within the cloth market of London, called Blackwell hall, or in any common cloth faire, or cloth market of any other citie, borough, or towne corporat, in, and during the time of the faire or market. 4. and 5. P. and M. 5. No cloth which is sealed shall be searched in a market.

39 If any person shall by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, kersey, frize, rugge, or cotton, any seale appointed to be fixed to the same, by either of the statutes made, 5. Ed. 6. and 4. and 5. P. and M. Then he shall forfeit for the first offence (beeing thereof duely conuicted by verdict of twelue men, or by two sufficient witnesses, or by confession of the partie) x. li. And for the second offence beeing likewise conuicted, shall sit Counterfeiting or taking away a seale.

on

on the pillorie, and forfeit to the Q. all such his goods and cattels (his debts beeing truely paid) as he shall haue at the time of his conuiction. 5. Ed. 6. 6. 4. and 5. P. and Mar. 5.

No cloth retailed but which is sealed.

40 No person which commonly vseth to retaile cloth or kersie, shall put to sale, in grosse, or by retaile to any person, any manner of cloth beeing drelled, dyed, and prelled, except there be fixed thereunto at euery end of the same cloth, the seale of such citie, borough, or towne corporate, where the same cloth shal be so dyed, drelled, and prelled, or the seuerall seale of euery such city, borough, or town corporat, where it shal be died, drelled, or prelled, to remaine at the last end of euery of the said cloth, which shall be sold, during all the time that any peece of such cloth is to be sold, vpon paine of forf. the whole value of such cloth to the K. and I. to bee recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6.

Bridgwater, Taunton, Chard, cloths.

41 Euery person dwelling within the countie of Somerset, which shall put to sale any woollen clothes, commonly called Bridgwater, Taunton, and Chard clothes, or clothes of like making, nature, and sort, made within the said Countie, except such cloth be first viewed, searched, & seene in one of the boroughs of Bridgwater, Taunton, or Chard, and sealed with the seals of one of the said boroughs, or townes, according to the foresaid statute 5. Ed. 6. shal forfeit the cloth sold, or the value thereof to the Q. and I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 2. and 3. P and M. 12.

Clothes brought to a towne corporat to be sealed.

42 Euery person not dwelling within any citie, borough, or towne corporate, and making any of the clothes or kersies aforesaid, may lawfully bring the same to the next citie, borough, or corporate towne, where any such kind of clothes or kersies be commonly made, there to be sealed in manner & forme aforesaid. 4. and 5. P. and M. 5.

Sealing of Cloth which lacketh length &c.

43 If any Searcher, or Sealer, appointed by the foresaid statutes of 5. Ed. 6. & 4. and 5. P. and M. shall set the seale of any citie, borough, or towne corporat, to any cloth which shall not containe such length, weight, and breadth, as in the said statutes is appointed: Then the Corporation of the Township, where any such cloth, kersie, frize, cotton, or rug shall be so sealed, shall forf. the whole value of the cloth so sealed. 4. and 5. P. and M. 5. S. Br. 164.

Sealing of cloth not sufficiently died &c.

44 If any of the Searchers aforesaid, shall set the seale of any citie, borough, towne corporate, or port towne, to any coloured cloth which shall not be sufficiently drelled, dyed, prelled, and wrought, as is aforesaid: Then the Corporation of the towneship, where such cloth shall be sealed, shall forf. the whole value of the cloth so sealed. 5. Ed. 6. 6.

Ouerseers appointed by the Iustices.

45 In euery towne, village, or hamlet being not corporat, where any cloth shal be made, or sold, the Iust. of peace of the same Shire where any such town, village, or hamlet is, or two of them at the least, shall haue full power once euery yeare to call before them, by their precept, or otherwise, ij. iij. vj. vij. or more, as they shall thinke good, of the most honest, discreet, and indifferent men of euery such towne, &c. and them shal appoint to be Ouerseers for one whole yeare then next following, within the towne, village, or hamlet where the same Ouerseers shall be dwelling, charging them vpon their oathes &c. that they doe indeauour themselues for that yeare, as much as in them shall lie, to see that the statute of 3. Ed. 6. prouided for the true making of wollen clothes, be truely obserued within the limits of their charge, in euery part thereof. 3. Ed. 6. 2.

The authoritie of Ouerseers.

46 The same Ouerseers, or two of them, shall euery Quarter of the said yeare at the least, or so often as need shall require by their discretions, visite and goe into euery Clothiers, Drapers, Cloth-workers, Diers, or Pressors houses, shops, and other places where cloth or died woll shall be, and there make due search, and view the clothes and wools made or died, or remaining to be sold, and to search and trie, whether

whether the ſaid clothes be drawen, or ſtrayned, or falſly dyed. 3. Ed. 6. 2.

47 If any of the ſaid perſons ſo commaunded to appeare, to be made Overſeers, hauing no reaſonable excuſe, do refuſe to come & to take vpon him to be an Overſeer: Then euery ſuch perſon ſhall forfait for euery ſuch refuſing xl.s. to the king and to the Juſtices of peace by whom he was commaunded to appeare, or to be an Overſeer, and ſhall remaine in the ward of the Shirife, vntill he hath paied the ſame forf. or otherwiſe put in ſufficient band for the ſatisfactiõ of the ſame. 3. E. 6. 2. Refuſing to be Overſeers

48 If the ſame Overſeers, or two of them at the leaſt, doe not once euery quarter of the yeare make due ſearch for the true executing of this ſtatute: Then euery of the ſaid Overſeers ſhall forf. for euery ſuch default x.l. to the K. and J. &c. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 3. Ed. 6. 2. Overſeers not making ſearch.

49 If the ſame Overſeers ſhall be interrupted, and not ſuffered to enter into the ſaid houſes, ſhops, or other places where any ſuch clothes, or wools ſhall bee made or died, or any other of the ſaid defaults ſhall be committed, there to make ſearch for the better executing of this ſtatute: Then euery one that ſo ſhall make any ſuch interruption, ſhall forfeit xx.l. to the King, and to the ſaid Overſeers, to whom any ſuch interruption ſhall be made, to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 3. Ed. 6. 2. Interrupting Overſeers.

50 Prouided that no perſon ſhal take any aduãtage of any the ſaid forfeitures, by reaſon of this ſtatute of 3. Ed. 6. vnleſſe hee doe commence his ſuite within one yeare next after the ſaid offences and forfeitures committed. 3. Ed. 6. 2. Within what time the ſuite ſhall be commenced.

51 Euery Clothier ſhall weaue, or cauſe to be wouen his ſeuerall token or marke, in euery cloth, kerſie, and other clothes whatſoeuer they be, made to be vttered and ſold, and when any cloth ſhall bee readie made and dreſſed to bee put to ſale, enery of the ſame Clothiers ſhall ſet his ſeale of Lead vnto euery of them: In which ſeale ſhal be contained the iuſt length of euery of the ſame clothes or kerſeies, as it ſhall be found by euery buyer of the ſame, vpon due proſe thereof to be tried by the water. And in caſe vpon any ſuch proſe to be made by any buyer of them at the water, there ſhall be found leſſe content in length then is contained in euery of their ſaid ſeales, Then euery of the ſaid Clothiers ſhal forfait vnto euery ſuch buyer of the ſame the double value, of ſo much Cloth as ſhall want of his ſaid content in length, at the onely ſight and iudgement of any two indifferent perſons that ſhall meaſure the ſame. And euery Clothier putting his cloth to ſale, before it ſhall be ſealed by the Aulneger, and marked in forme aforeſaid, ſhall forfeit his cloth to the K. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 27. H. 8. 12. S. 30. And Quære whether the Clothier ſhall forfeit the double value, or the cloth, or both. The Clothiers marke. Aulnegers ſeale. Quære.

52 No perſon ſhall vſe any marke vpon his clothes, ſuch as another doth, and hath vſed before him, vpon paine of forf. of euery of the ſaid Clothes to the K. and to him that will ſeize the ſame. 5. H. 8. 2. 6. H. 8. 8. No Clothier ſhall vſe anothers marke.

53 If any cloth or kerſie through the default and negligence of the carders, ſpinners, or weauers, ſhall proue either purſie, cockley, baudie, ſqually, or rowie, by warpe or woofe, or elſe ſhall happen to be euill burled, or waſted in the mill, or through default of the mill man, or otherwiſe, to be full of holes, mil-brakes, or to be holie, Then the maker thereof ſhall fire vnto euery end of the ſaid cloth or kerſie, ſo beeing defectiue and faultie, and offered to bee ſold, one ſeale of lead, in the which ſeale ſhall be ingrauen this word (faultie) vpon paine of forf. of ſuch cloth or kerſie, or the value thereof, ſo offered to be ſold, whereunto ſuch ſeale ſhall not bee ſet. 4. & 5. P. & M. 5. S. B. 33. Faultie cloth.

54 The wooll which ſhall bee deliuered, for, or by the Clothier to any perſon, breaking, keimbing, carding, or ſpinning of the ſame, ſhall bee by euen, iuſt, and true pois and weight of haberdepoys ſealed by authoritie, not exceeding in weight The waight of the wool deliuered by the Clothier to the carders and ſpinners.

weight after the rate of xij. pounds seimed woll, aboue one quarter of a pound for the wast of the same woll, and in none other manner. And the breaker or kember shall deliuer againe to the same clothier the same wooll so broken and keimpt, and the carder and spinner shall deliuer againe to the said Clothier, yarne of the same wooll by the same euen pois and weight (the wast thereof excepted) without any part thereof concealing, or any more oyle, water, or other thing put thereunto deceiueably, vpon paine to forfeit to the Lord of the Leete, within the precinct whereof such default is done, for euery such default twelue pence, vpon due proofe of such deceit, before and by the discretion of the Mayor, Bailife, or other head officer of the citie, borough, or towne where the deceipt shall appeare, calling to him such persons, as shall seeme to him conuenient for the proofe of such deceipt. 6. H. 8. 9.

Occupiers of Welsh cloth, shall paie the Shearmē readie money.

55 Euery person occupying the trade of buying and selling of Welsh cloth and Lynings, within the towne of Shrewsburie in the countie of Salop, which doth deliuer the same to be cottoned, frized, dressed, or wrought, to any Shearman, Cottoner, or Frizer, and doth not paie to the same Shearman or &c. readie money for all his said worke, without any colour, fraud, or engin whatsoeuer, and without ware or other thing in satisfaction of his said worke, or any part thereof, shall loose all his liberties and frædomes of the fraternitie of Drapers, and for euer after be excluded & disabled by himselfe, or any other for him to occupie or enioy the trade of buying and selling of Welsh clothes or lynings. 8. El. 7. 14. El. 12.

No retailer of lyning, frizes, or cottons, shall worke the same.

56 No person which shall buy to sell againe by way of retaile, or otherwise, any welsh lynings, shall dresse or worke, or cause to be dressed or wrought, within his dwelling house, or in any other places, any of the said Welsh lynings, but shall put the same to some such person as shall be of the science of Shearmen, Cottoners, or Frizers, to be by them wrought and dressed, vpon paine to forfeit for euery Welsh cotton, or lyning frized or cottoned to the contrarie vj. s. viij. d. 4. and 5. P. and M. 5. And if any person dwelling within the towne of Shrewsburie in the Countie of Salop, or the Liberties of the same, vsing the trade of buying of Frizes, Cottons, or Plaines, doth exercise the facultie of frizing or cottoning, he shall forfeit for euery peece vj. s. viij. d. to the K. and J. &c. to bee recouered by A. J. &c. wherein no W. &c. E. P. &c. 8. El. 7. 14. Eliz. 12.

Haire, flocks, Iambes wooll. S. Br. 155. 156.

57 No person shall put any haire, flocks, or any yarne made of Lambes wooll into any cloth, kersie, frize, or cotton so made and sold, or offered to bee sold, vpon paine to forfeit euery such cloth, kersey, frizes, and cotton wherein any such yarne, haire, or flockes shall be put, or the value thereof, to the K. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. The foresaid branch made Anno 5. Ed. 6. which prohibiteth the putting of haire, flockes, or yarne made of Lambes wooll into any cloth or frize, hauing regard vnto the Clothes called Plaine white straights, and Pinned white straights, shall bee repealed and made void. And it shall be lawfull to all and euery the Queenes subiects, inhabiting, or which shall hereafter inhabite within the Counties of Deuon and Cornwall, as wel in townes corporat, market townes, or elsewhere, to weaue and make the said clothes called Plaine white straights, and pinned white straights, and to vse and occupie in making of the said clothes, flockes, haire, and yarne made of Lambes wooll, & to haue, keepe, and vse in his and their houses, three Lomes and not aboue, for the making of the clothes aforesaid: and to make the same clothes of such length, weight, and breadth, as the marchant shall like and accept to buy the same for marchandize, or appoint the same to be made for the vse and most acceptable allowance of the countrey people where the same shall be transported for marchandizes, for that in truth none of the same are worne or occupied within this Realme: The said statute made An. 5. Ed. 6. or any other law or statute &c. notwithstanding. Prouided alwaies, that in defrauding of the Queenes custome, no peece of the said clothes shall

Plaine white straights. Pinned white straights.

bee

be made aboue twelue pounds in weight, or aboue xiiij. yards in length, or one yard in breadth, vpon paine of forfeiture of all such clothes made ouer and aboue the said length, breadth, or weight, or the value thereof to the K. and Inf. to be recouered in any court of Record, by W. B. P. or I. wherein no W. &c. E. P. &c. 27. Eliz. 18. S. Br. 2. 122. 127. The length, breadth, and weight of plaine & pinned straits.

58 No person shall straine, or cause to be strained any cloth, aboue one yard in length, and one halfe q. in breadth, vpon paine to forfeit for euery such default v. l. And no person, which shall haue or occupie any tentour, shall haue or occupie wrench, rope, or ring with the same tentour, or shall vse any other engin vnlawfull to straine, or stretch any Cloth, vpon paine that euery offendor, that shall vse or occupie any tentour, or other engin to the contrarie, shall forf. xx. l. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. 5. Ed. 6. 6. S. 112. 113. 123. 124. Straining or stretching of Cloth.

59 No person shall presse any kinde of cloth, with the hotte presse, or in any other kind of deceiueable manner, but onely with the cold presse, vpon paine of forf. of the whole cloth so pressed, or the value thereof to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. Pressing of cloth.

60 No person shall boyle, or cause to be boyled, any wools to be conuerted into any kinde of broad cloth, or kersie, with any kind of gaules, rindes, barkes of trees, or sawdust, vpon paine to forf. all such wooll, or the value thereof, to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6. Boyling of wooll.

61 No person shall adde vnto any cloth, any counterfeit list like vnto the making of Cockshall, Bocking, or Braintry clothes, commonly called Handiwarps, except the warp thereof be spun vpon the distaffe, vpon paine of forf. of the same cloth, or the very value thereof: But the Clothmakers within the citie of Worcester may make such lists as they haue done heretofore. 4. and 5. P. and M. 5. Lists of cloth.

62 No person inhabiting within the Westriding in the Countie of Yorke, shal make, or cause to be made any Broad clothes, called Pewkes, Tawnies, Violets, or Greene, except the wooll thereof (before it be conuerted into yarne) bee first died, litted, and coloured, with the colour Blewe, of the value of two pence a pound, vpon paine of forf. of euery such coloured cloth, whereof the wooll shall not be first died, &c. or the value thereof, to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. I. &c. 4. and 5. P. and M. 5. Clothes made in the westriding in Yorkshire.

63 Welsh clothes called Whites, Russets, and Rennets, made in Northwales, and Worcester hundred, that shall be brought to any common Markets or Faires, to be vttered and sold, shall be foulded either in plaits, or cuttell, as the Clothes of all other countries of this Realme are vsed, to the intent that buyers may perceiue the breadth and goodnesse thereof, vpon paine of forf. of euery peece brought to any market or faire to be sold contrarie to the forme aforesaid, to the K. and I. to bee recouered by A. I. &c. wherein no W. E. P. &c. 33. H. 8. 3. Folding of Welsh cloth.

64 No person shall put to sale within the Realme of England, any coloured Cloth of any other colour, or colours, than Scarlet, Red, Crimson, Murrey, Violet, Pewke, Brownblew, Blacke, Greene, Yelow, Orichtawny, Russet, Marble, Graie, Sad new colour, Azurie, Watched, Sheeps colour, Lyon colour, Motley, Iron gray, Friers gray, Crane colour, Purple, and old Medley colour, most commonly vsed to be made aboue and before twentie yeares last past. 4. and 5. P. and M. 5. Colours of cloth.

65 No person occupying the feat of dying, shall dye, or alter into colours, or cause to be dyed, &c. any woollen clothes, or Brownblewes, Pewkes, Tawnies, or Violets, except the same be perfectly boyled, grained, or maddered vpon ỹ woad, and that with good and sufficient corke or orchal, after a due, substantiall, and sufficient manner of workmanship, according to the auncient workmanship in time past vsed, vpon paine for euery default to forf. xx. s. Nor any person shall die any wooll Dying of clothes. Dying of wooll.

wool to be conuerted into cloth, called Ruſſets, Mullers, Marbles, Graies, Raies, and ſuch like colours, or to be conuerted and made into Hats or Caps, vnleſſe the ſame wooll be perfectly woaded, boiled, and maddered, according to the true and auncient vſage, vpon paine of forfeiture for the falſe dying of euery ſuch cloth, or of as much wooll as ſhal ſerue for the making of euery cloth contrarie to the true meaning hereof xl.s. Nor ſhall die with Braſell to the intent to make a falſe colour in cloth, nor wooll, hats, nor caps, vpon paine for euery default to forfeit xx.s. to the K. and I. to be recouered by A. I. wherein no W. E. P. &c. 3. Ed. 6. 2. S. Iuſtice of Peace 82.

Iron cards, pickards.

66 No perſon ſhall occupie any yron cardes, or pickards, in rowing of any ſet cloth, or any manner of woollen cloth, vpon paine to forfeit as well the ſaid yron cardes and pickards, as alſo the ſumme of xx.s. for euery ſuch offence. 3. E. 6. 2. And

Gigmilles.

if any perſon occupie any Gigmill for the workmanſhip of any woollen cloth, hée ſhall forfeit for euery cloth wrought in or by any of them v.l. to the K. and I. to bee recouered by A. I. wherein no W. E. P. I. &c. 5. Ed. 6. 22.

Meaſure of cloth.

67 No perſon ſhall ſell any cloth by any leſſe meaſure, than after the true content thereof, to be meaten and meaſured by the yard, adding to euery yard one inch of the rule. 6. H. 8. 9. 3. Ed. 6. 2.

Buying of coloured wooll and yarne.

68 No perſon ſhall buy any coloured wooll, or coloured woollen yarne of any Carder, Spinner, or Weauer, but onely in open Market, vpon paine of forfeiture of ſuch wooll & yarne ſo bought, to the K. and I. to be rec. by A. I. &c. wherein no W. E. I. &c. 6. H. 8. 9.

A Clothier ſhall haue but one woollen Loome.

69 No perſon vſing the feat of Cloth making, & dwelling out of a city, borough, market town, or corporat town, ſhall haue in his poſſeſſion aboue one woollen loome at one time, nor ſhal directly or indirectly take any commodity by letting any loome, or any houſe wherein any loome ſhal be occupied, which ſhall be together by him let, vpon paine of forf. for euery weeke that any perſon ſhal do contrary xx.s. to the K. & I. to be recouered by A. I. &c. wherin no W. E. P. &c. 2. & 3. P. & M. 11.

No weauer ſhall keepe aboue two Loomes.

70 No woollen Weauer vſing the feat of Weauing, and dwelling out of a city, borough, market towne, or towne corporat, ſhall haue or keepe at one time aboue two woollen lomes, or receiue any commodity by any more then two lomes at one time, vpon paine to forf. for euery weeke that any perſon ſhall do to the contrary xx. s. to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11.

No weauer ſhal be a Tucker.

71 No perſon which ſhal occupie only the Myſterie of a weauer, & not cloth making, ſhall (during the time that he ſhall vſe the feat of a weauer) haue any Tucking mill, or ſhall exerciſe the feat of a Tucker, Fuller, or Dyer, vpon paine to forf. for euery weeke that he ſhal ſo do, xx.s. to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11.

No Tucker or Fuller ſhall keep a Loome

72 No perſon which ſhall vſe the feat of a Tucker, or Fuller, ſhall during the time that he ſhall ſo vſe the ſaid feat, haue any Lome in his houſe or poſſeſſion, or ſhal directly or indirectly take any profit by the ſame, vpon paine to forfeit for euery weeke xx.s. to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11.

No man ſhall be a weauer but which hath beene Apprentice.

73 It ſhall not be lawfull for any perſon to ſet vp the Myſterie of Weauing, vnleſſe the ſame perſon haue bin apprentice to the ſame Myſterie, or exerciſed the ſame by the ſpace of vij. yeares at the leaſt, vpon paine of xx.l. to be forf. to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11. And whoſoeuer ſhall weaue, or make, or put to weauing or making, woollen Cloth, long or ſhort kerſies, Pinned whites, or Plaine ſtraits, vnleſſe he hath bin apprentice to the occupation of making, weauing, and rowing of Cloth or Kerſey, or haue bene exerciſed therein by the ſpace of vij. yeares before, ſhall forf. ſuch Cloth or the value there-

thereof to Q. and I. to be recouered by A. I. &c. wherein no W. E. P. I. &c. 4. & 5. P. & M. 5. But this Act of 2. & 3. P. & M. is not preiudiciall to any persons dwelling in the Counties of Yorke, Cumberland, Northumberland, and Westmerland, but euery of them shall and may keepe Lomes in their houses, & exercise euery thing concerning Spinning, Weauing, Clothworking, & Cloth making in the said Counties, as they might haue done lawfully before. 2. & 3. P. & M. 11. Lomes kept in the Counties of Yorke, Cumberland, Northumberland, & Westland.

74 The Weauer which shall haue the weauing of any woollen yarne to be webbed into Cloth, shall weaue, worke, and put into the webbe for Cloth to be made thereof, as much and all the same yarne, as the Clothier, or any person for him shall deliuer to the same weauer, with his vsed marke put to the same, without changing, or any part thereof leauing out of the same webbe, or else shall restore to the same Clothier the surplusage of the yarne, if any shall be left not put into the same web, and without any more oyle, browme, moisture, sand, dust, or other deceiuable thing putting to the same web, vpon paine to forfait for euery default iij. s. iiij. d. to the King and Informer, to be recouered by A. I. &c. wherein no W. E. P. &c. 6. H. 8. 9. The weauer shall put into the Cloth all the yarne, or restore it.

75 No person shall vse the Mysterie of making, weauing, or rowing of woollen Clothes, long or short, or Kerseys, Pinned whites, or Plaine straits, to the intent to put the same to sale, but onely in a Market towne, where Cloth hath commonly bene vsed to be made by the space of x. yeares last past, viz. (before 20. Ianuarij, Ann Do. 1557.) or in a Citie, Borough, or Towne corporat, vpon pain of forf. for euery such woollen Cloth, or Kersey made, wouen, or rowed out of such Citie, Borough, or Towne corporat, or Market towne, v. li. to the Q. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 4. & 5. P. & M. 5. None shall occupie clothing, but where it hath bene vsed &c.

76 But it shall be lawfull to any person now, (viz. at the making of this Act) vsing the feat of making, weauing, or rowing of Cloth, or Kersey, to inhabite where he now doth, and there to vse the making, weauing, or rowing of Cloth or Kersey, as he hath done heretofore. 4. & 5. P. & M. 5. Inhabitants at the time of the statute.

77 And it shall be lawfull to euery person, which doe, or shall dwell in any of the Shires of North-wales, South-wales, Chesshire, or Lancasshire, Westmerland, Cumberland, Northumberland, Bishoprycke of Durham, Cornewall, Suffolke, Kent, the Towne of Goddelmine in the Countie of Surrey, (or Yorkshire, being not within twelue Miles of the Citie of Yorke) or in any the Townes or villages nere adioyning to the water of Stroude in the Countie of Gloucester, where Cloth hath ben vsually made by the space of xx. yeares last past, and hauing ben Prentice to the occupation of Cloth making, or exercised in the same by the space of vj. yeares, to set vp, and exercise the feat of making, weauing, or rowing of Cloth, out of a Citie, Borough, or Market towne, as heretofore they might haue done. 4. & 5. P. & M. 5. Places excepted wherein Cloth may be made.

78 No person shall make, or cause to be made within the Shire of Worcester, any woollen Clothes to be sold, except onely such persons as shal be dwelling within the Citie of Worcester, the boroughes & townes of Euesham, Droitwich, Kederminster, and Bromesgroue, within the said Countie of Worcester, or in any one of them, vpon paine of forf. for euery broad Cloth made by any person contrarie to the meaning of this Act, xl. s. to the king and I. to be recouered by A. I. &c. wherein no W. E. P. &c. But this Act shall not be preiudiciall to any persons for making any clothes for their own, their children or seruants wearing. 25. H. 8. 18. Worcester shire.

79 It shall be lawfull to euery such person which do, or shall dwell in Bocking, Westbarfold, Cockshall, and Dedham, in the Countie of Esser, or in any of them, that doe, or shall exercise the feat of making, weauing, or rowing of Cloth or Kersey, by the space of vj. yeares at the least, or haue ben Prentice thereto by the said space, to dwell in any of the said Townes or Villages, and to vse the making, weauing Bocking, Westbarfold, Cockshall, Dedham.

uing, or rowing of Cloth, or Kerſey, as before this time they might haue done, if the ſaid Act of 4. & 5. P. & M. had neuer bẽn made: Any law, &c. notwithſtanding. 1. Eliz. 14. And it ſhall be lawfull to and for all and euery ſuch perſon or perſons, which now do inhabit or dwell, or that hereafter ſhall inhabit or dwell in the Townes or villages of Borſtead & Langham in the Countie of Eſſex, now vſing or exerciſing, or that hereafter ſhall vſe or exerciſe the feat or myſterie of making, weauing, or rowing of Cloth, or Kerſey, by the ſpace of vij. yeares at the leaſt, or haue bẽn, or ſhall be hereafter Prentice thereunto by the ſpace of ſeuen yeares, to inhabit or dwell in the ſaid Townes or villages of Borſtead and Langham, and there to vſe the making, weauing, or rowing of Cloth or Kerſey, as before the making of the ſaid ſtatute of 4. & 5. P. & M. they might haue done, and as if the ſaid Act had neuer bẽn had or made: Any thing in the ſaid Act, or any other Act &c. notwithſtanding. 27. Eliz. 23.

Borſtead and Langham in Eſſex.

Somerſet, Wiltſhire, Glouceſter.

80 Aũ 18. Eliz. 15. The foreſaid Branch of the ſaid ſtatute made 4. & 5. P. & M. as touching onely the vſe of the myſterie of making, weauing, or rowing of woollen Clothes, to the intent to put the ſame to ſale, but onely in a Market town, Citie, &c. and all penalties &c. by reaſon of the ſaid branch, as againſt any perſons exerciſing the ſaid myſterie, &c. within the Counties of Somerſet, Wiltſhire, and Glouceſter, or any of them, be repealed and made void. But euery perſon being by this ſtatute allowed to exerciſe the ſaid myſterie &c. not being by the former Statute (made 4. & 5. P. & M.) allowed thereunto, ſhall be ſubiect vnto ſuch ſearch, ſeaſ. and other orders, as other perſons dwelling out of Boroughes and Townes corporat allowed of by the ſaid former Act, or any other ſtatutes, were ſubiect vnto before the making of this Act. 18. Eliz. 15.

Inhabitants at the time of the ſtatute.

81 No perſon dwelling or abyding within any of the ſaid Counties of Somerſet, Wiltſhire, or Glouceſter, ſhall vſe the ſaid myſterie of making, weauing, or rowing of any woollen Cloth out of any Citie, Borough, Towne corporat, or Market towne, except onely within ſuch houſes & places in the ſaid Counties, as ſuch woollen Clothes haue bẽn moſt commonly vſed to be made, wouen, or rowed, by the ſpace of ten yeares next before the making of this Act (being 8. Februarij, Aũ 1575.) vpon paine of forfeiture for euery ſuch Cloth made, wouen, rowed, &c. v. li. to the Q. and I. 18. Eliz. 15.

How much land a Clothier may kẽpe in his occupation.

82 Such perſon as ſhall vſe the trade of Cloth making in any of the houſes and places, where woollen Clothes haue bẽn moſt commonly vſed to be made, wouen, or rowed, by the ſpace of x. yeares next before the making of this Act (being 8. Februarij, Aũ 1575.) within any of the Counties of Somerſet, Wiltſhire, & Glouceſter, out of a Citie, Borough, Towne corporat, or Market towne, which now doth not vſe the ſaid trade, ſhall not kẽpe in his occupation or manurance aboue xx. acres of land, meadow, and paſture, at the moſt. And euery perſon now vſing the ſaid trade, out of a Citie, Borough, Towne corporat, or Market towne, within any of the ſaid Counties, ſhall not take into his occupation or manurance any land, meadow, or paſture, but that which he now hath, or as much onely in lieu thereof, vpon paine of forfeiture for euery acre of land, meadow, & paſture, by ſuch perſon occupied or manured, contrary to the tenour of this Act, for euery yeare that he ſhall ſo occupie the ſame, and ſo vſe the trade of Cloth making, vj. ſ. viij. d. to the Quẽne and Informer. 18. Eliz. 15.

This word (now) is to be conſtrued at the time of the ſtat. made.

The rents of clothiers houſes in Worceſter ſhire.

83 The Lords and owners of the meaſes, tenements, or cottages, within the Citie of Worceſter, or any of the Boroughes or townes of Euesham, Droitwich, Kederminſter, and Bromesgroue, ſhall at no time let any meaſe, tenement, or cottage, ſufficiently repaired within the ſaid Citie, Boroughes, or Townes, to any perſon that ſhall inhabit in the ſaid Citie, Boroughes, &c. and exerciſing the myſterie of Clothing, at any higher rent, impoſition, or charge, then was giuen for the

ſame

ſame at any time within rr. yeares next before the making of this Act, (being 25. die Ianuarij, Añ Dom. 1533.) 23.H.8.18.

84 The K. Aulneger ſhall be ſworne to do his office well & lawfully, & in caſe he thereof be found in default, & attainted before the Gouernors of Fayres, Mayors or Bailifes of the places where the Clothes be bought, or before any other whom the king ſhal aſſigne, he ſhal be one yeare impriſoned, ranſomed at the K. pleaſure, & put out of his office for euer: and he that will ſue, ſhall haue the one halfe. And the Aulneger ſhall anſwer aſwell for his Deputies, as for himſelfe. 25.Ed.3.1. Aulneger ſworne.

85 The Treaſorer of England, or his Deputie, ſhall appoint no perſon to be Aulneger, Sealer, or keper of the Seale, appointed for the ſealing of Clothes in any part of this Realme, but ſuch as be expert in the making of Cloth, and worth a C.li. at the time of the ſaid Deputation. 1.R.3.8. The Aulneger ſhal be expert, & worth a C.li.

86 The Treaſorer of England for the time being, hath authoritie to let to farme the Subſidies & Aulnage of Clothes, which ought to be ſealed (vnto perſons which be no ſtrangers borne. 1.R.3.1.) willing to haue the ſame to farme by ſufficient ſuertie, & the farmors ſhall haue the one halfe of all the forf. of all the Clothes and peces of the clothes ſet to ſale not ſealed with the ſaid ſeales, to their owne vſe, paying therefore, and for the ſaid Subſidie and Aulnage, to the king at his Exchequer, ſuch yearely ſumme of money, as ſhall be agreed betwirt the Treaſorer and them, and to be accomptants to the King of the other halfe of the ſaid forfeiture at the ſaid Exchequer. 17.E.4.5. Aulnage let to farme.

87 If any Clothier do put any Cloth or Kerſey to ſale, before he ſhall haue paied to the Aulneger, or his deputie, the accuſtomable fee, or agree for the ſame as he hath bẽn accuſtomed, he ſhall forf. for euery default rr.ſ. to the K. and J. to be recouered by A. J. &c. wherein no W. E. P. &c. 5. E. 6.6. And if any perſon making any whole coloured Cloth, Dozens, or clothes of Kay, do fold or tacke the ſame together, before the Aulneger hath duly ſearched or ſurueyed the ſame, that they hold their length & breadth, ordeined in the Statutes therefore prouided, he ſhal forfeit the ſame. And the Aulneger which putteth the ſeale thereunto ordained, to Cloth which is not of Aſſiſe, ſhall forf. at the firſt default x.li. at the ſecond rr.li. and at the third his bodie ſhall be arreſted, and his goods at the K. pleaſure. 11.H.4.6. But the Marchants which do buy the ſame Cloth to carrie out of the Realme, may fold them together, for the more eaſie carriage of them. 13.R.2.11. No Cloth ſhal be ſold before the Aulnegers fee be paied. Aulneger ſealing cloth wãting Aſſiſe.

88 No Aulneger, Sealer, or keper of the Seale, appointed for the ſealing of Cloth, ſhall ſeale any whole Clothes, halfe Clothes, ſtreits, or Kerſies, but ſuch as ſhall be onely made within the Countie, Citie, Borough, or Towne, where he ſhal be deputed Aulneger, Sealer, or keper, vpon paine to forf. to the king for euery ſuch whole Cloth contrary ſealed, iij.li.vj.ſ.viij.d. for euery halfe Cloth xxx.ſ.iij.d. for euery ſtrait xx.ſ. and for euery kerſey x.ſ. 1.R.3.8. Cloth ſhall be ſealed where it is made,

89 Euery Clothier putting any Clothes to ſale, before they ſhall be ſealed by the Aulneger of the ſaid Countie, where any of them be made, or before the ſaid Clothier hath wouen his ſeuerall Marke in the ſaid Clothes, and hath ſet his ſeale of lead containing the length of the ſame Clothes, ſhall forfeit his Clothes to the K. and J. to be recouered A. J. &c. wherein no W. E. P. &c. And if the Aulneger of any Countie do ſeale any of the ſaid Clothes with the kings ſeale, vntill ſuch time as they be ordered & ſealed with their contents, in forme aforeſaid, he ſhall loſe his office. 27.H.8.12. But all Cloth made to be ſold within the Citie of Worceſter, the Townes of Droitwich, Eueſham, Kederminſter, and Bromſgroue, in the Countie of Worceſter, ſhall be ſealed with the Seale of the Searchers there, & the owners ſhal not be compelled to put their owne ſeales to any Clothes there made. And the Searchers ſhall haue for the ſearching and ſealing of euery Cloth a peny, and not aboue, 25.H.8.18. 27.H.8.12. No cloth ſold before the Aulneger & owner hath ſet their ſeale & marke.

No sealing of tacked cloth.

90 If any Aulneger, or Collector of the Subsidie of Clothes, do set his seale to any Cloth, hauing the peces tacked & set together with threeds, the same cloth shal be forfeited to the King in whose hands soeuer it be found. And also the Aulneger or Collector found guiltie, shall forfeit his office. 3.R.2.2.

Faultie cloth sealed.

91 Though Cloth, through the default of the Carders, Spinners, or weauers, do proue either pursy, baudy, or squaly, by warp, or woofe, or else happen to be euill burled, or wasted in the Mill, or through the negligence of the Milman, or otherwise, to be full of holes, milbrakes, or holy, yet the Aulneger shall set his seale to such Cloth, But the accustomable fees and allowances shall be notwithstanding paied to the Aulneger, vpon paine of forfeiture of such whole Cloth, or the value thereof. 5.Ed.6.6. 4.& 5.P.& M.5.

The Aulnegers fee.

92 The Aulneger shall take for euery Cloth that is measured, which is of assise of the seller, ob. and of the halfe Cloth q. for his Office, & no more, And he shal take nothing for Clothes which be lesse then a halfe cloth, nor shal meddle with the measuring of any cloth, but only with the clothes which are to be sold: And such clothes the which shal be put to sale, before they be sealed with the said seale, shal be forfeit to the K. &c. and seised into his hands by the Aulneger, or his deputie, or otherwise by the Bailife of the town where such Clothes not sealed shal be found. 27.E.3.4.

The Aulneger shall shew his Commission.

93 If the Aulneger, or keeper of the seale, do refuse to shew his Commission of his office, to any person desiring the same, vpon the sealing or measuring of any broad Clothes, straits, or kerseis, and that examined & duely proued, he shall forf. xx. s. 4.E.4.1.

Aulneger in wales.

94 The Aulneger in Wales by himselfe, or his sufficient deputie, or deputies, shall in all things to his Office appertayning do and answer in euery case, according as euery other Aulneger, in the Realme of England, ought to do. And for the contrarie exercising of the said office, shall in euery case suffer, as by the Lawes & statutes is ordeined for Aulnegers vnder the L. Treasorer of England. 34.H.8.

The owners marke set to Clothes in Lancashire.

95 No person shall sell, or put to sale within the Countie of Lancaster, or carie, or cause to be carried out of the said Countie any kind of Clothes, Cottons, Frizes, or Rugs, made within the said Countie to be sold, before the owner or maker of euery such Cloth &c. shal put to the same one seale of lead, hauing the marke of euery such owner, or Clothier, ingraued on the one side thereof, and the true length of euery such Cloth, frize, cotton, or rug, as it is found being wet, to be ingraued on the other side of the said seale. And also the M. Aulneger of the said Countie palantine for the time being, vpon triall of the weight of euery such Cotton, Frize, and Rug, shall fire, or cause to be fired to euery such Cotton, &c. the M. seale of lead, hauing the Portculleis crowned, ingraued on the one side therof, & the true weight of euery such Cotton, Frize, or Rug to be ingraued, on the other side of the said seale, vpon paine of forf. of all and euery such Clothes, cottons, frizes, & rugs, conueyed, carried, sent, sold, & put to sale, or to the intent to be sold, being vnsealed, contrarie to the meaning of this Act, to the Quene, and to such persons, as shall seise, or will sue for the same Cloth &c. to be recouered by A.J. &c. wherein no W.E.P. &c. But this Act shall not be preiudiciall vnto any Charter, or Libertie of any Borough, or corporat Towne within the said Countie Palantine of Lancaster, concerning the making and putting to sale of any Woollen Cloth. 8. Eliz. 12.

The Aulnegers deputies.

96 The said Aulneger shall haue his lawfull Deputie within euery of the seuerall Townes of Manchester, Rochdale, Bolton, Blackborne, Berie, in the same Countie where the said Aulneger hath been accustomed to haue his deputy heretofore, there to be ready vpon lawful request vnto him made without delay, to weigh euery of the said Cottons, Frizes, & Rugs, as shal be brought vnto him, and sealed with the seale of the owner or maker thereof, & to set to euery of them the M. seale ingraued, in maner and forme aforesaid, vpon paine of forfeiture of xx. s. for euery

packe

packe of Cottons, Frizes, or Rugs, ſealed by the ſaid Aulneger, or any of his ſaid Deputies, before the ſame be weighed, in forme aforeſaid, to the K. and I. to be recouered A. I. &c. wherein no W. E. P. &c. And it ſhall be lawfull for the ſaid Aulneger, or his Deputie, to take of the owner or maker of euery of the ſaid Clothes, Cottons, Frizes, or Rugs, for the weighing & ſealing of euery packe of them, iij. d. and for euery peece of ſuch courſe Clothes, Cottons, Frizes, & Rugs, not amounting to a whole packe, ob. and the ſame to be paied by the owner or bringer of the ſaid Clothes, at the weighing and ſealing of the ſame. 8. Eliz. 12. The Aulnegers fées in Lancaſhire.

97 No perſon, Engliſh, Denizen, or Straunger, ſhall tranſport, or cauſe to be tranſported into any of the parts beyond the Sea, any Cloth, Kerſey, Frize, or cotton, of the ſeuerall ſorts before recited in the Statute of (5. Ed. 6.) vnleſſe the kings Seale, or Aulnegers Seale of this Realme, and the ſeale of the owner or maker of the Cloth (declaring therein the length of the Cloth as it ſhall be in the water) be ſet vpon euery ſuch Cloth, vpon paine to forfeit euery ſuch Cloth lacking the ſame Seales, or any of them, or the value thereof, to the King and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6. Trãſporting of Cloth.

98 No Stranger, or Denizen, ſhall carrie, or cauſe to be carried out of this Realme, any Woollen Clothes, before they be barbed, rowed, and ſhorne, within the ſame Realme, vpon paine of forfeiture of the value thereof to the K. and I. But Clothes called Meſſens, Rayes, Sailing clothes, & other clothes commonly ſold at xl. ſ. and vnder, be not comprized in this Act. 7. E. 4 3. 3. H. 7. 11. But euery white woollen Cloth ſold for iij. l. & vnder, & euery coloured Cloth ſold for iij. l. & vnder, may be carried beyond the Sea, there to be ſold, at the pleaſure of the buyers of the ſaid cloth, vnbarbed, vnſhorne, & vnrowed: any act &c. notwithſtanding. 27. H. 8. 13. But no perſon ſhall carrie, or ſhip, or cauſe to be ſhipped, any white woollen Cloth, aboue the value of iij. li. or any coloured cloth aboue the value of iij. l. vnrowed, vnbarbed, or vnſhorne, to the intent to be conueyed into the parts beyond the Sea, vpon paine of forf. of the ſame Cloth, or the value thereof, to the King and Informer, to be recouered by A. I. &c. wherein no W. E. P. &c. 33. H. 8. 19. Of what value cloth carried ouer may be.

99 No perſon ſhall carrie, or cauſe to be carried beyond the Sea, any woollen Yarne, or Cloth not fulled, but the woollen yarne which ſhall be wouen in this Realme, and alſo all Cloth therein made ſhal be fulled, & fully wrought within this Realme, before it be carried out of this Realme, vpon paine of forf. of the verie value of all ſuch yarne vnwouen, and Cloth not fulled, carried out of this Realme, to the K. and I. &c. 7. Ed. 4. 3. Trãſporting of woollen yarne or cloth not fulled.

100 No perſon, Stranger, nor other, ſhall conuey any woollen Cloth ouer the Sea, vnleſſe the ſame Cloth be fully watered, vpon paine of xl. ſ. 1. R. 3. 8. Trãſporting of cloth not watered.

101 No perſon ſhall bring, or cauſe to be brought into the Realme of England, Ireland, or Wales, any Clothes made in any other place then within the ſaid Realmes (Clothes taken by any of the K. liege people vpon the Sea without fraud onely except) vpon paine of forfeiture of the ſaid Clothes, and further to be puniſhed at the Kings pleaſure. 11. E. 3. 3. 4. No clothes wrought beyond the Sea ſhalbe brought into England.

102 For euery nine Clothes vnwrought to be ſhipped, or carried into any the parts beyond the Seas, contrarie to the forme of any Statute in force, by force of any Licence, the partie that ſhall ſhip or carrie the ſame, ſhall ſhip & carrie ouer alſo one like woollen cloth of like ſort, length, breadth, & goodneſſe, ready wrought, and dreſſed, viz. rowed, barbed, firſt courſed, & ſhorne, from the one end to the other, ſo that euery Tenth Cloth paſſing ouer the Seas, in forme aforeſaid, ſhall be dreſſed within this Realme, before the ſame ſhal be ſhipped or tranſported ouer, vpon pain to forf. for euery ſuch ir. Clothes ſo to be ſhipped, or tranſported, contrarie to the meaning of this Act, x. l. to the K. & the Maſter and Wardens of the Company of Clothworkers, to the reliefe of the Poore of the ſaid Companie, to be recouered by Clothes tranſported by licence.

A.J.&c. wherein no W.E.P. &c. But euery ſuch tenth Cloth ſo to be tranſpo3ted ready w3ought, ſhall not be accompted any of the Clothes permitted to be tranſpo3ted by fo3ce of ſuch licence: but ſuch perſon as ſhall haue ſuch licence may tranſpo3t acco3ding to ſuch Licence, the full number of Clothes vnw3ought, mentioned in the ſame Licence, ouer and aboue the number of ſuch tenth Clothes, which they ſhall be compelled to ſhip, and carie ouer by fo3ce of this ſtatute. 8. Eliz. 6.

Kentiſh and Suffolk cloth ſhall not be tranſpo3ted vnw3ought, by any licence.

103 No perſon ſhall ſhip, o3 carie beyond the Seas, contrary to the fo3me of any ſtat. heretofo3e made, now remaining in fo3ce, any cloth commonly called Kentiſh cloth, o3 Suffolk cloth, made in the counties of Kent o3 Suffolke vnw3ought & vnd3eſſed within this Realme, that is to ſay, not rowed, barbed, firſt courſed & ſho3ne, vpon pain to fo3f. fo3 euery ſuch cloth ſo to be ſhipped o3 tranſpo3ted xl.s. to the M. & the Maſter & wardens of the company of Clothw3okers, to the reliefe of the po3e of the ſaid company, to be recouered by A.J.&c. wherein no W.E.P. And no licẽce fo3 tranſpo3ting of any cloth, ſhall be expounded to extend to any ſuch Kentiſh o3 Suffolk cloth, made in either of the ſaid Counties to be tranſpo3ted. 8. Eliz. 6.

Deuonſhire kerſie raw.

104 Each Kerſey called Deuonſhire kerſey, o3 Dozen, which ſhalbe made and wouen within the county of Deuon, o3 any other countie nert adioyning thereunto, being raw, vnſcoured, vntucked, & vnwet, as it commeth from the weauers beame, & being made of cleane & perfect ſtuffe, viz. of wool ſho3ne, clenſed, & th3oughly waſhed, o3 ſcoured, after the ſhearing, & befo3e the weauing, without any fraud, deceit, policie, o3 deuice, o3 any ſtuffe thereunto deceitfully o3 vnlawfully added in the wo3king, o3 after the wo3king thereof, fo3 increaſe of the weight, ſhall weigh in the market 15. pounds, o3 vpwards. 35. Eliz. 10. S. Br. 14. 15. 144.

Rudge waſh kerſie.

105 Euery raw Deuonſhire Kerſey o3 Dozen wouen & made in the ſaid Countie of Deuon, o3 any of the other Counties adioyning, being a rudge waſh kerſey, viz. being made of fleece wool waſhed onely on the ſheps back, & the woll not being clenſed, waſhed, & ſcoured, after it is ſho3ne, & befo3e it is wouen, ſhal without any

Weight.

fraud, &c. weigh in the Market 17.l. at the leaſt being raw as it commeth off the weauers beame, & each & euery of the ſame Deuonſhire kerſies o3 dozens ſo being raw, & as it commeth fo3th of the weauers lome (without racking, ſtretching, ſtraining, o3 other deuice, to increaſe the length therof) ſhal containe in length betwẽ 15. & 16. yards by the meaſure of yard & ynch by the rule, without which obſeruation of weight being raw, they cannot fall out (after they be well ſcoured, thicked, & fully d3ied) to conteine the length & weight exp3eſſed & limitted in the ſtat. of 4. & 5. P. & M. viz. 12. yards in length, & 12.l. in weight. 35. Eliz. 10. S. Br. 14. 15.

The weauers penaltie.

106 If any Weauer ſhal wo3ke o3 make any of the ſaid kinds of kerſies, of leſſe weight o3 meaſure then is befo3e mentioned after their kind, euery ſuch offendo3 ſhall fo3feit fo3 euery quarter of a pound in weight, which any of the ſaid raw kerſies o3 dozens which ſhall be b3ought to any Market, o3 ſold, o3 ſuffered to be ſold, ſhall want of their weight afo3eſaid xy. d. And fo3 euery quarter of a yard which ſhall be wanting in length of either ſo3t of the ſaid kerſies, likewiſe being ſold, o3 offered to be ſold xy. d. And each ſo3t of the ſaid kerſies o3 dozens ſhall be ſewantly wouen th3oughout of well & like ſo3ted yarne: And no weauer ſhall vſe any diuerſitie in the bigneſſe o3 gwdneſſe of his yarne in any part of the ſaid kerſies, ſauing onely in the liſts, no3 vſe any other p3actize in the edging o3 weauing of any the ſame kerſies o3 dozens, to make the ſame ſeme finer nere the edge o3 liſts, then in other parts of the ſame Cloth. 35. Eliz. 10.

The Dozens ſhalbe ſewantly w3ought th3oughout.

A weauers ſhop marke.

107 Each Weauer ſhall weaue his ſhop marke of ſome coloured yarne in the end of euery Kerſey which he ſhall weaue o3 make, and ſhall alſo at each end of euery of the ſame Kerſies weaue one purrell likewiſe of coloured yarne, of the b3eadth of th3ee quarters of an ynch at the leaſt, whereby the deceitfull cutting and diminiſhing of ſuch Clothes by Tuckers, o3 Fullers, heretofo3e vſed, may hence-

A purrel at each end.

fo3th

forth be preuented. And if any Weauer shall vse any deceipt, in mingling his yarne, or shall omit his shop marke, or shall not weaue in euery Kersey two purrels, according to the tenor of this Act, he shall forfeit and lose for euery offence to the contrarie x. s. 35. Eliz. 10.

108 No Weauer, nor any other person whatsoeuer, shal offer, or put to sale any of the same raw Kersies, called Dozens, before the same haue bẽ viewed, weighed, and marked, in some Citie, Towne corporat, or Market towne, & allowed by such officer, & marked with such marks, as shall be there in such Citie or Towne vsed & appointed for that purpose, vpon paine to forfeit & lose for euery Cloth sold, or offered to be sold to the contrarie x. s. to the Qu. and the principall Officer or Magistrate of the Citie, towne corporat, or market towne, next adioyning to the dwelling or working place of such weauers as shal offend in any of the premisses, if he the same Officer or Magistrate shal first make seisure thereof, Or else to the principall Officer of that Citie, towne corporat, or Market towne, where the same shall be sold, or offered to be sold: To be recouered by Action of debt, bill, plaint, or I. with costs in any Court of Record, wherein no W. E. P. &c. 35. Eliz. 10. Dozens shall be viewed, weighed, and marked.

109 The principall Officer or Magistrate for the time being, in euery Citie, towne corporat, or Market towne of the said County, or of any other of the Counties adioyning, where any such kersies, called Deuonshire kersies, or Dozens, now are, or hereafter shal be wouen, made, offered, or put to sale, shall euery yeare from henceforth, appoint & haue in readynesse at all times needfull, two or more discreet persons, which shall be speciall and knowne Officers and Searchers, which shall attend, and shall be at his or their entrie into his or their said office sworne during his and their continuance in the said Office, truely to view, weigh, & marke each Kersey, called a Dozen, in such Citie or Towne, or any of them, made, sold, or offered to be sold, or put to sale, & to present each offence of defect, which shall there fall out, contrary to the true meaning of this Statute: Euery which Searcher or Officer, so to be hereafter appointed for this purpose in any such citie, towne corporat, or Market towne, shall haue authoritie to enter in the day time, into all shops, warehouses, workhouses, & other places conuenient of the same Citie or Towne, where he or they shall be so appointed, there to view, search, & see whether any Kersey or Dozen be made, sold, or offered to be sold, contrarie to the true meaning of this Act, & also to see what paines, penalties, & forfeitures shal be growne due to her Maiesty by any weauer, seller, or buyer, within the liberties & precincts of the same towne, taking onely of & for the weighing, & marking of euery Kersey, a farthing for his paine, and so according to the number, and no more, which farthing vpon euery Kersey is to be paied by the seller of the same Kersey. 35. Eliz. 10. Searchers. The Searchers authoritie.

110 If such Searchers and Officers shall not be yearely appointed and attendant at all times reasonable & conuenient, or shal neglect his or their duties in the true search, weighing, and marking of the said Kersies, or any of them, or shall marke any one kersey, which wants of his weight, as is aforesaid: then & in euery such case the chiefe Magistrate of euery such Citie and Towne, shall forfeit & lose for euery such offence of their Searcher or Searchers xx. s. and for euery market day they shall want two, or one at the least of such Searchers the summe of xl. s. to be leuied as hereafter is expressed. 35. Eliz. 10. Searchers not appointed or not attendant.

111 No maner of person or persons whatsoeuer, shall buy any such raw Kersey called Deuonshire Kersey or Dozen, in any Market, or elsewhere, vnlesse the same shall be first tried, weighed, and marked, by the Officers of some Citie, Towne corporat, or Market Towne, as is aforesaid. And no Weauer, Tucker, Fuller, or other whatsoeuer, shall dresse, or cause to be dressed any of the said raw Clothes called Deuonshire Kersies or Dozens, vnlesse the same be first tried, weighed, and marked in some one Market Towne by the searcher or searchers there in that behalfe No dozen shal be bought or dressed, before it be tried.

behalfe appointed, vpon paine of forfeiture of euery such Kersey so bought, dressed, or put to dressing, which shall not before be tried & marked, as is afore mentioned.

Diminishing the length of a dozen.

No Clothier, Tucker, Fuller, or other person whatsoeuer, shall at any time from henceforth cut or diminish the length of any Kersey, called a Deuonshire Kersey, or Dozen, and after offer or put the same to sale, as a whole Kersey, or Dozen, vpon paine of forfeiture of xx. shillings, for euery of the same Kerseyes or Dozens so cut or diminished to the Queene and Informer, to be recouered by A. B. P. or I. with costes, wherein no P. W. or E. &c. 35. Eliz 10. 1. Iac. 25. This act to endure vntill the end of the first Session of the next Parliament.

The forfeiture.

Stretching or straining of Northren cloth.

112 No person or persons within any the Counties of Yorke, Lancaster, or any other the Counties on the North side of Trent, shall stretch, or straine, or cause to be stretched, or strained, any Clothes, Dozens, Kerseyes, Penistones, Rugges, Frizes, Kighley whites, plaine Grayes, or any other Clothes, by what name or names soeuer they be called, made, or hereafer to be made within the said Countie of Yorke, Lancaster, or any other the Counties on the North of Trent, vpon paine to forfeit for euery default v. l. 39. Eliz. 20. S. B. 58. 124. 127.

No tenter, rope, or wrench to strain Northren cloth.

113 No person or persons within the Counties aforesaid, or any of them, shall haue, vse, or occupie any Tenter, of what sort or kind soeuer, or any maner of wrench, rope, or other engins, to stretch or strain any clothes, kerseyes, dozens, penistones, rugges, frizes, cottons, Kighley whites, plain grayes, or any other Cloth of what kind or name soeuer it or they be called, made, wrought, or to be made or wrought within the said Counties, vpon paine that euery offendor, that shal haue, or vse, or exercise any such Tenter, of what sort or kind so euer, or any maner of rope, wrench, ring, head, or engine, shall forfeit for euery such default twentie l. 39. Eliz. 20. S. B. 58. 123. 124. 127.

A seale of lead containing the length and weight.

114 Euery person or persons within the Counties aforesaid, or any of them, which shall make, or cause to be made, any clothes, kersies, dozens, cottons, penistones, plaine graies, Kighley whites, frizes, or any other cloth, by what name or names soeuer, it or they be called, shall make the same of such weights, lengthes, & breadths, as by the Statutes of this Realme alreadie in force is prouided, vnder the paines in the same Statutes contained, and before the same be sold, or offered to be sold, shall set his Seale of Lead, vnto euery of the same Clothes, Kerseyes, Dozens, Cotton, plaine Graies, Penistones, Kighley whites, Frizes, or by what name or names soeuer it or they be called: In which said Seale of Lead shall be contained, the trus and iust length, and the true and iust weight at the least, of euery such Cloth, Kersie, Dozen, Cotton, Penistone, plaine graies, Kighely whites, frizes, &c. as it shalbe duely found by due proofe thereof to be tried by water or weight, vpon paine to forfeit euery cloth kersie, dozen, cotton, penistone, plain graies, Kighley whites, frizes, or other Cloth &c. which shall be made within any the Counties aforesaid, whereunto such Seale as is aforesaid, shall not be put and set. And in case vpon proofe to be made by water or weight any such Clothes, kersies, dozens, cottons, penystones, plaine graies, Kighley whites, frizes, or any other Cloth, as is aforesaid, shall be found of lesse weight, or of smaller content in length, then is contained or specified in any of the said Seales, the owner of euery such Clothes, Kersies, Dozens, Cottons, Penystones, plaine Grayes, Kighley whites, and Frizes, or any other Cloth, &c. or any other person or persons, in whose hands or possessions any such Clothes, Kersies, Dozens, Cottons, Penistones, plaine Grayes, Kighley whites, Frizes, or any other Cloth shall be found, shall forfeit for euery yard wanting in length iiij. s. and for euery pound wanting in weight ij. s. 39. Eliz. 20.

The forfeiture.

115 And for the better & more speedie & effectuall reforming of all such abuses, as is aforesaid, in euery Parish, Towne, Village, and Hamlet, within the Counties afore-

aforesaid, where any Clothes, Kersies, Dozens, Cottons, Penystones, plaine Grapes, Bighley whites, Frizes, or any other Cloth, by what name or names soeuer they be called, shall be made or sold, the Iustices of Peace of the same Shire, or Riding, or two of them at the least, and in euery Citie, Borough, or Towne corporat, the head officer or officers of euery the same Citie, Borough, or Towne corporat, together with some one or two of the Iustices of the peace of the Shire or Riding next adioyning to such Citie, Borough, or Towne corporat, shall haue full power & authoritie, & shall by vertue of this Act, once euery yeare at the least, and as often as they shall thinke good, to conuent, and call before them by their precept, or otherwise, two, foure, fiue, or eight, or more, as they shall thinke good by their discretion, of the most honest, discreet, & able men of euery such citie, towne, village, hamlet, or parish where any Cloth shall be made or sold, and them shall constitute, ordaine, & appoint to be Ouerseers for one whole yeare, or 6. Moneths, or shorter time at their discretions, then next following, within the Citie, Borough, towne, village, hamlet, or Parish, where the same Ouerseers shall be dwelling, & shall and may take them sworne, & bound in Recognisance of xl. li. a peece, to the vse of the Qu. and her successors, to do their best endeuour by all lawfull waies & meanes for their time, to see that this Statute in all points shal be truly obserued & kept within the limits of their charge in euery part thereof: And the same Ouerseers, or two of them, shall once euery Moneth at the least, or so often as need shall require, or they shall think fit by their discretions by force thereof, visit and go into all, or any house or houses, shops, or other rowmes of any Clothiers, Drapers, Cloth-workers, or of any other person or persons whatsoeuer, where any of the said Cloth shal be, & there to make due search, & view the same made, or remaining to be sold, & to take, search, & trie, aswell by weight, water, or any other way whatsoeuer, the said Clothes, kersies, dozens, cottons, penistones, Bighley whites, & frizes, or any other Clothes &c. And if any Clothes aforesaid, vpon search thereof, shal not be found to be sealed with a seale, containing the length & weight, as aforesaid, then the Clothier, & euery owner of the said Cloth, shal forfeit euery such cloth, kersies, dozens, cottons, penistones, Bighley whites, & frizes, or any other Cloth &c. made within the Counties aforesaid, not so sealed & sold, or offered to be sold. And the said Ouerseers & euery of them, shall & may seise and carry away the same so forfeited, as aforesaid, & present the same to the Iust. of peace at the nert Quarter Sessions, to be by them disposed of, as hereafter is in these presents limitted & appointed. And if the said Ouerseers shall find any false seale or marke to be set vpon any Cloth aforesaid, or shall vpon search, as aforesaid, find the same clothes aforesaid to be stretched or strained, then the same Ouerseers shall present the same defaults vnto the Iustices at the nert Quarter Sess. & the names of the owners or possessors of such cloths, kersies, dozens, cottons, penistones, Bighley whites, & frizes, or any other Clothes, &c. so found defective. And if any maner of person or persons shall denie, withstand, or withhold any Clothes, kersies, dozens, cottons, penistones, Bighley whites, and frizes, or any other cloth &c. from the said Ouerseers, or any of them, or wil not suffer them to enter into any of the houses, shops, rowmes, or other places, where any such clothes shal be, then euery such person or persons so denying, or withstanding, shal for the first offence forfeit & lose x. l. & for the second offence xx. l. & for the third offence, being therof lawfully conuict by verdict of xij. men, and two sufficient witnesses, shall stand vpon the Pillorie in the nert Market towne: And if any of the said persons so commaunded to appeare, to be made Ouerseers, as aforesaid, & hauing no reasonable excuse, refuse to come, & take vpon him or them to be Ouerseers, as aforesaid, then euery such person so refusing, & hauing no reasonable excuse so to do, shall forfeit for euery such refusing v. l. the one halfe thereof to be to the Quæne & her successors, & the other halfe to the Iust. of the Peace, or other head Officer or Officers,

Ouerseers appointed by the Iustices and head officers.

The ouerseers may make search.

The Ouerseers may seise & carry away the faultie cloth.

The Ouerseers presenting the fault at the quarter Sessions.

Withholding of faultie cloth or denying of search of the cloth.

The forf.

Refusing to be Ouerseers.

Officers, by whose commaundement he was appointed to appeare to be Ouerſéer: & the ſame Ouerſéers ſo offending, to remaine in the ward of the Shirife, Baylife, or other head Officer, vntil ſuch time as he hath made payment of the forfeiture, or otherwiſe put in ſufficient bond for the ſatisfaction of the ſame. 39. Eliz. 20.

The Ouerſéers ſhall fixe a ſeale of lead to the Cloth.

116 And to the end that the ſaid Clothes, kerſies, dozens, cottons, penyſtones, Righley whites, and frizes, or any other Clothes, by what name or names ſoeuer they be called, ſo to be viewed and ſearched, may be the better knowne: Therefore the ſaid Ouerſéers ſhall fixe vnto euery kind of the Clothes aforeſaid, a Seale of lead, containing the length and the weight of euery ſuch Clothes (together with this word, Searched) which Cloth ſo ſealed by the ſaid Ouerſéers, ſhall not be ſearched, tried, or viewed, by any other Searcher or Ouerſéer of any other Citie, Borough, Towne, Village, Parish, or Hamlet, by vertue of his or their ſaid office or offices: Any thing in this Act, or in any other Statute to the contrarie notwithſtanding. 39. Eliz. 20.

Setting ſeals to clothes, or taking them away without warrant.

117 If any perſon or perſons, but ſuch as are appointed, aſſigned, and permitted by this Act, or their Seruants, or Deputies, do at any time counterfeit, or ſet to, or willingly and wittingly take away from any the ſaid Clothes, kerſies, dozens, cottons, penyſtones, Righley whites, and frizes, or any other Cloth, by what name or names ſoeuer they be called, made within the Counties aforeſaid, any of the ſeales ſo to be fixed, as aboue is recited, then euery perſon ſo offending, ſhall for the firſt offence forfeit & loſe x.l. and for the ſecond offence, being thereof lawfully conuicted by the verdict of twelue men, or two ſufficient witneſſes, ſtand vpon the Pillorie, and forfeit to the Queenes Maiſtie her heires & ſucceſſors xx.li. 39. Eliz. 20.

Authoritie to ſearch for tenters, ropes, wrenches, &c.

118 And to the end that the ſaid Statutes & Lawes aforeſaid, may be the more effectually executed, and all ſtretching and ſtraining, and falſifying of any the Clothes aforeſaid taken away, euery Juſtice of Peace, head Conſtable, or other the Ouerſéers aforeſaid, ſhall haue full power and lawfull authoritie to enter in, or vpon any the meſſuages, tenements, houſes, buyldings, lands, or grounds of any perſon or perſons whatſoeuer, to ſearch for any ſuch Tenters, of what ſort or kind ſoeuer, or any maner of ropes, rings, heads, wrenches, or other engines whatſoeuer, whereby any falſhood or deceit may be vſed, in, and about the ſtretching and ſtrayning of any of the ſaid Clothes, kerſies, dozens, frizes, cottons, penyſtones, Righlies, and whites, or any other Cloth &c. And if they ſhould find any ſuch Tenters, of what ſort or kind ſoeuer, or any maner of ropes, rings, heads, wrenches, or engines, they ſhall and may vtterly deface the ſame, in ſuch ſort as they cannot be imployed againe to any ſuch vſe. And if any perſon or perſons, with whom any ſuch ſhall once haue bæn found, ſhall after that be knowne to haue or vſe any ſuch Tenter, of what ſort or kind ſoeuer, or any maner of rope, ring, head, wrench, or engine, then they the ſaid Juſtices, head Conſtables, or Ouerſéers, or any of them within the ſeuerall precincts, ſhall take and ſell the ſame to the beſt value thereof, and by the conſent of two Juſtices of Peace, within the ſame Countie, diſpoſe the money thereof comming, to the Poore of that Parish where the ſame ſhall be ſo taken: and that vpon complaint made, or information giuen of any ſuch Tenter, of what ſort or kind ſoeuer, or any maner of rope, head, ring, wrench, or wring, or any other engine, to any Juſtice of Peace, euery one of them to whom ſuch complaint ſhal be made, or information giuen, ſhall within 7. dayes, next inſuing ſuch complaint or information giuen, repaire to the place, where the ſame ſhal be ſo had and vſed, & then and there execute this Law, as aforeſaid, vpon the paine hereafter in this preſent Act expreſſed: And if any perſon or perſons ſhal withſtand or reſiſt any ſuch Juſtice of Peace, or head Officers, in, or about, touching or concerning the execution of the premiſſes, euery ſuch perſon or perſons ſhall forfeit & ſuffer, as is before limitted, for reſiſting the Ouerſéers in the ſearch. 39. Eliz. 20.

The puniſhment of the ſecond offence.

Reſiſting a Juſt. of peace to execute his authoritie.

119 And

119 And if any the Iuſtices or Iuſtice of Peace, within the limits or bounds of his or their commiſſion, ſhall be negligent, or make default in doing of any thing, touching or concerning the due or true execution of this Statute, or any thing therein contained, euery ſuch Iuſtice of Peace, for euery ſuch default, ſhall forfeit and loſe v. li. And all ſuch forfeitures as ſhall happen or grow by reaſon of this Act, ſhall be one third part thereof to ſuch perſon or perſons as ſhall be then Ouerſeers, one other third part to the vſe of the Q. and the other third part to the vſe of the poore, in ſuch ſort as the Iuſt. of peace in their Quarter Seſſions to be holden next after iudgement had or giuen for the ſame, ſhall limit & appoint. 39. Eliz. 20.

The forf. of a Iuſt. of peace for omitting his dutie.

How the forf. ſhal be deuided and imployed.

120 And the ſaid Iuſtices of the Peace in their Quarter Seſſions ſhall & may inquire, heare, and determine euery fault or offence made or done contrarie to this preſent Act, or any thing therein contained, except the offences committed, & forfeitures made by the Iuſtices of Peace, by Preſentment, Bill, or Information, and vpon proofe thereof made by the teſtimonie of two ſufficient witneſſes openly giuen to the Iurie, and there vpon preſentment made by the Iury, to giue order for the execution of this Statute, and euery clauſe therein contayned, and for the recouerie of the penalties aforeſaid, to the vſe aforeſaid. And the Iuſtices of Aſſiſes ſhall and may inquire, heare, & determine euery fault or offence made or done by any Iuſtice of Peace, contrarie to this preſent Act, in neglect of their dutie, in, or about, touching or concerning the execution of this preſent Act, and vpon proofe thereof made by two ſufficient witneſſes, and by the preſentment of the Iury, ſhal and may giue order for recouerie and imployment of the penalties and forfeitures by them committed and made, to the vſes aforeſaid: And for default of Iuſtice to be done, in maner and forme aforeſaid, by the Iuſtices of Peace, or Iuſtices of Aſſiſe, Then the one moitie to be to the Qu. the other to I. to be recouered by A. B. P. I. in any of her Maieſties Court or Courts of Record at Weſtminſter, in which no W. P. E. &c. 39. Eliz. 20.

Iuſt. of peace ſhall inquire, heare, & determin the offences.

Iuſt. of Aſſiſe ſhall inquire, heare, & determin the offences of the Iuſtices of peace.

121 Prouided neuertheleſſe, that all and euery kind of Clothes aforeſaid, by what name ſoeuer they be called, which ſhall be made within the Counties aforeſaid, & brought vp to the Citie of London to be ſold there, ſhall be brought into the common Cloth Market place within the ſaid Citie, commonly called Blackwell Hall, to be there ſearched drie, without wetting, and out of the Market times, by the ſearchers of the ſaid Citie, vpon paine that euery owner of any ſuch Cloth, ſhal forfeit for euery ſuch Cloth not ſo brought into the Market, xl. s̄, and vpon paine that euery ſearcher that ſhall ſearch at any time in the Market times, to the diſturbance of the ſale of ſuch Clothes in the Market there, ſhall forfeit for euery ſuch ſearch ſo made v. li. All which ſaid forfeitures ſhall be the one moitie to the Qu. her heires and ſucceſſors, the other to the I. to be recouered by A. I. wherein no W. P. E. &c. 39. Eliz. 20.

Northren Clothes brought to London to be ſold.

122 No perſon or perſons ſhall put any Haires, Flockes, Thrummes, or Yarne made of Lambes Woll, or other deceiuable thing or things, in, or vpon any broad Woollen Cloth, halfe Cloth, Berſey, Frize, Dozen, Penyſton, or Cotton, Taunton Cloth, Bridgewater, Dunſter Cotton, (which Dunſter Cotton hereafter ſhal be by this Act intended and taken to be of like weight, length, and bredth, as Taunton and Bridgewater Cloth) or other Cloth, of what nature, kind, or name ſoeuer made, or to be made to be ſold, or offered to be ſold, vpon paine to forfeit euery ſuch Cloth, halfe Cloth, Berſey, Frize, Dozen, Penyſton, & Cotton, and other woollen Cloth, of what nature, kind, or name ſoeuer, whereinto, or whereupon any ſuch Haire, Flockes, Thrums, Yarne, or Lambes woll, or other deceiuable thing or things whatſoeuer ſhall be ſo put: Any Law, ſtatute, diſpenſation, &c. notwithſtanding. And vpon paine that euery perſon & perſons, which ſhall buy, gather, or procure any haire, flockes, thrums, yarne of Lambes woll, or other deceiua-

No deceiuable thing ſhall be put in cloth

Gathering of deceiuable things.

deceiuable thing or things whatſoeuer, for that intent and purpoſe, to forfeit the ſame Haire, Flockes, Thrummes, &c. 43. Eliz. 10. S. Br. 57. B. 155.

Stretching of Cloth vnwrought.

123 No perſon or perſons within this Realme of England, or the Dominions of the ſame, ſhall haue, vſe, or occupie within any place of the ſaid Dominions, any Tenter, Inſtrument, Engine, or other deuiſe, of what ſort or kind ſoeuer, with any lower barre, pynne, ring, or other engine, or deuiſe, of what ſort or kind ſoeuer, whereby, or wherewith any rough and vnwrought woollen broad Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Penyſtone, Frize, Rug, or any other rough & vnwrought woollen Cloth, of what nature, kind, or name ſoeuer they be, or ſhall be of, made, or to be made to be ſold, ſhall or may be ſtretched or ſtrained in breadth, Or ſhall haue, keepe, or vſe any manner of wrench, ringhead, growme, rope, or other engine, to ſtretch, or ſtraine any rough and vnwrought woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Penyſtone, Frize, Rug, or any other rough and vnwrought woollen Cloth, of what nature, kind, or name ſoeuer they be, or ſhall be of, in length, made, or to be made to be ſold: Vpon paine that euery offendor, that ſhall haue, keepe, vſe, or exerciſe any ſuch tenter, inſtrument, engine, or deuice, with a lower barre, pyn, ring, engine, or deuice, wrench, ringhead, growme, or rope, of what ſort or kind ſoeuer, ſhall forfeit for euery ſuch offence xx. li. to the K. and I. that will ſue for the ſame by B. P. or I. in any of the K. Courts of record, wherein no E. P. or W. &c. 43. Eliz. 10. S. Br. 58. 113. 114.

No wrought woollen Cloth ſhall be ſtretched.

124 No perſon or perſons within England, or the Dominions of the ſame, ſhal ſet, or cauſe to be ſet directly or indirectly, any wrought Woollen broad Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Penyſton, Frize, Rug, or any other wrought woollen Cloth, of what nature, kind, or name ſoeuer they bee, or ſhall be of, made for ſale, or offered to be ſold, in, or vpon any tenter, inſtrument, engine, or deuice, with a lower barre, pyn, ring, engyne, or deuice, wrench, ringhead, growme, or rope, of what ſort or kind ſoeuer, to ſtretch or ſtraine the ſame wrought woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Penyſton, Frize, Rug, or any other wrought woollen Cloth, of what nature, kind, or name ſoeuer they be, or ſhal be of, otherwiſe then the whole broad Woollen Cloth, one yard in length, and one halfe quarter in breadth: And the halfe Cloth one halfe yard in length, and one halfe quarter in breadth: And the Kerſey, Cotton, Dozen, Penyſton, Frize, and Rug, one halfe yard in length, and one quarter in breadth: Or ſhall vtter or ſell any wrought woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Penyſton, Frize, Rug, or any other wrought woollen Cloth, of what nature, kind, or name ſoeuer they be, or ſhall be of, tentred, ſtrained, or ſtretched, otherwiſe then as aforeſaid, in, or vpon any tenter, inſtrument, engine, or deuice with a lower barre, pynne, ring, engine, or deuice, wrench, ringhead, growme, or rope, of what kind or ſort ſoeuer, vpon paine to forfeit euery ſuch Woollen Cloth, halfe Cloth, &c. 43. Eliz. 10. S. Br. 58. 113.

None ſhall ſell woollen cloth tentered.

The Clothiers hand to the Marchants booke, for defects in Cloth.

125 No Marchant or Buyer, which ſhall tranſport, or cauſe to be tranſported beyond the Seas, any broad Woollen Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſton, Frize, or Rug, or any other woollen Cloth, of what nature, kind, or name ſoeuer they be, or ſhall be of, by reaſon of any Clothiers, or Sellers of any broad Woollen Cloth, halfe Cloth, Kerſey, &c. ſo tranſported, his hand to ſuch Marchant or Buyers booke, bill, or thicket, for, or touching any defects, ſhall take any benefit, or aduantage. 43. Eliz. 10.

Vnwrought Cloth tentered, tranſported & returned.

126 Prouided neuertheleſſe, That if any vnwrought Cloth, halfe Cloth, Kerſey, Cotton, Dozen, Peniſton, Frize, Rug, or any other vnwrought woollen Cloth, of what nature, kind, or name ſoeuer they bee, or ſhall be of, tranſported beyond the Seas, ſhall be found to haue been formerly tentered, ſtrained, & ſtretched by the meanes or conſent of the maker or ſeller thereof, contrary to the true intent of this

Act:

Act: Then ſuch Marchant or buyer ſhall or may at his owne coſts and charges returne the ſame into this Realme, and after ſuch returne, deliuer, or cauſe the ſame to be deliuered vnto the maker, or ſeller thereof, with the Seales thereunto limited by this preſent Act, to be fixed, and thereupon ſhall or may recouer the value thereof, ſo returned, by Action of Debt, B. P. or I. in any of the Mu. Courts of Record, againſt the maker or ſeller thereof, by whoſe meanes or conſent the ſame was ſo entered, ſtrained, and ſtretched. 43. El. 10.

127 The Statute made 39. Elizab. 20. as to, for, touching and concerning Viewes, Seales, Searches, appointment of Ouerſeers, Ouerſeers, Penalties, and authoritie giuen to Juſtices of Aſſiſe, Juſtices of Peace, head Officers of Cities, Boroughs, and Townes Corporat, and other perſon and perſons, of, and for Northren clothes, in the Countie of Yorke, Lancaſter, and other the Counties on the North of Trent, ſhall reſpectiuely extend vnto all and ſingular Woollen Broad Clothes, halfe Clothes, Kerſies, Cottons, Mozens, Peniſtones, Frizes, Rugges, and all other woollen Cloth, of what nature, kinde, or name ſoeuer they be, or ſhall be of, made and to be made within England, to be viewed, ſealed, ſearched, ouerſeene, ſubiected to penalties, and Authoritie giuen to Juſtices of Aſſiſe, Juſtices of Peace, and other perſon and perſons, in ſuch, and the like manner, and forme, and to ſuch and the like purpoſes and entents reſpectiuely, as is limited and appointed for ſuch ſaid Northren Cloth. And ſuch as ſhal offend againſt the ſaid Act of 39. Eliz. obſeruing and performing this Act, ſhal not incurre any penaltie mentioned in the ſaid Act. And all and euery Article, Clauſe, and Sentence in any Act of Parliament heretofore made, touching, or concerning the abuſes of Clothes in this Act mentioned, and beeing repugnant and contrariant to any Article or Sentence in this Act, ſhall be vtterly void. 43. El. 10.

The ſtatute ordained for Northren Clothes, ſhall extend to all other Clothes.

Offendors againſt the ſtat. of 39. El. and performing this.

A repeale of all former Stat. contrarie to this.

128 Euery broad woollen Cloth, halfe Cloth, Cotton, Kerſie, Mozen, Peniſtone, Frize, Rugge, and euery other Woollen Cloth, of what nature, kinde, or name ſoeuer they bee, or ſhall bee of, ſealed by the Ouerſeers authorized by this Acte, ſhall not be brought to bee viewed, ſearched, and ſeene, nor ſhall bee ſearched, tried, or watered by any other Searcher or Ouerſeer of any Citie, Borough, Towne, Village, Pariſh, or Hamlet, by vertue of his, or their Office, or Offices: any Statute, Matter, or Thing to the contrarie thereof in any wiſe notwithſtanding. But this Act ſhall not extend to take away or abridge from any lawfull Aulneger, any power or right alreadie giuen vnto him by her Maieſties Letters Patents, for the Viewing, Searching, or Seizing of any Clothes put to ſale, contrarie vnto the Lawes heretofore made in that behalfe. 43. Eliz. 10. 1. Iac. 25. To continue vntil the end of the firſt Seſſion of the next Parliament.

Clothes ſealed by Ouerſeers.

The Aulnegers authoritie reſerued.

129 From and after foureſcore daies next after the ende of this Seſſion of Parliament, euery long Broad Cloth and Clothes, which ſhall bee made of died woolles, and mingled colours, within any of the Shires of Kent, Yorke, or at the Towne of Reading, or elſewhere of like making, ſhall containe in length at the water, euery peece beeing throughly wette, betweene thirtie and foure and thirtie yards, euery yard, yard and inch of the Standard and no more, and in breadth, fiue quarters and a halfe of a yard at the leaſt within the Liſts, by the whole length of the ſame Cloth. And euery peece of the ſame Cloth beeing well ſcoured, thicked, milled, and fully dried, ſhall bee in weight eightie fiue pounds at the leaſt. 4. Iac. 2. S. Br. 5.

The length, breadth, and weight of broad clothes died.

130 Euery white Cloth, which ſhall bee made within the Cities of Worceſter, Couentrie, and Hereford, commonly called Long Worceſters, or elſewhere of like making, ſhall containe in length beeing wette, betweene thirtie and thirtie three ſuch ſaid yards and inches as aforeſaid, and ſhall be in breadth ſeauen quar-

Long Worceſters.

ters throughout all the whole cloth, and beeing cleane scoured, thicked, milled, and fully dried, shall weigh seauentie eight pounds at the least. 4. Iac. 2. S.Br. 6.

Plunkets, azures, blewes, and long white clothes. S.Br 9.

131 All and euery long coloured Clothes, commonly called Plunkets, Azures and Blewes, and long white Clothes, which shall bee made in any of the Shires of Suffolke, Norfolke, and Eſſex, or elsewhere of like making, shall containe in length, beeing wette, betwæne twentie nine and thirtie two such yardes and inches as is aforesaid, and shall bee in breadth, fiue quarters and one halfe quarter within the Liſts at the least, and bæing well scoured, thicked, milled, and fully dried, shall weigh eightie pounds at the least. 4. Iac. 2.

Short clothes coloured, or white, viz. sorting clothes.

132 All and euery short clothes coloured, and short white clothes, commonly called Sorting clothes, which shall bæ made in any of the Shires last before mentioned, or elsewhere, of like sort and making, shall containe bæing wette, in length betwæne twentie thræ and twentie fiue such said yardes and inches as is aforesaid, and in breadth throughout the whole pæce, fiue quarters within the Liſts at the least, and bæing well scoured, thicked, milled, and fully dried, shall weigh fiftie foure pounds the Cloth at the least. 4. Iacob. 2. S.Br. 10.

Fine short Suffolkes. S.Br. 10.

133 All and euery short clothes coloured, and short white clothes, commonly called fine short Suffolkes, which shall be made in the Shires last before mentioned, or elsewhere, of like making, shall containe bæing wette, in length betwæne thræ and twentie and fiue and twentie such said yardes and inches, as is aforesaid, and in breadth throughout the whole pæce, fiue quarters and a halfe within the Liſtes at the least, and beeing well scoured, thicked, milled, and fully dried, shall weigh fiftie foure pounds the cloth at the least. And euery such Sorting short cloth, shall bæ differenced from the said fine clothes last before mentioned, by a Blewe seluedge or edging on both Liſtes. quart Iacob. 2.

Handiwarps. S.Br. 11.

134 Euery white cloth, which shall bæ made within the same Shires before mentioned, or elsewhere of like making, commonly called Handywarpes, shall containe in length betwæne twentie nine and thirtie two such said yardes, and inches as is aforesaid, and in breadth, seauen quarters, and beeing well scoured, thicked, milled, and fully dried, shall weigh seauentie fiue pounds at the least. 4. Iac. 2.

Azures, plunkets, & blewes made in Somerset and Wiltshire. S.Br. 13.

135 All broad Plunkets, Azures, Blewes, and other coloured cloth, which shall bæ made within the Shires of Wiltshire and Somersetshire, or elsewhere, of like making, shall containe bæing throughly wette, betwæne twentie fiue and twentie eight such yardes and inches as is aforesaid, and in breadth fiue quarters and a halfe within the Liſtes, and bæing well scoured, thicked, milled, and fully dried, shall weigh fiftie eight pounds the cloth atthe least. 4. Iacob. 2.

Short clothes of dyed wools and mingled colours made in Yorkeshire.

136 Euery cloth, commonly called short clothes, which shall bæ made of died woolles, and mingled colours, within the Countie of Yorke, or elsewhere of like making, shall containe in length, bæing throughly wette, betwæne twentie thræ, and twentie fiue such yardes and inches as is aforesaid, and in breadth fiue quarters and an halfe betweene the Liſtes, and bæing cleane scoured, thicked, milled, and fully dried, shall weigh fiftie fiue pounds the cloth at the least, and euery halfe pæce thereof, commonly called Dozens, to be made and wrought after the same rate in euery respect. 4. Iac. 2.

Broad liſted whites and reddes. S.Br. 12. 28.

137 All broad liſted Whites and Reddes which shall bæ made in any of the Counties of Wiltshire, Glouceſterſhire, Oxfordshire, and the Caſterne limits of Somerſetſhire, or elsewhere, of like making, commonly called sorting

packe

packe broade liſted Clothes, ſhall containe in length being wette, betweene twentie fiue and twentie eight ſuch ſaid yardes and inches as is aforeſaid, and ſhall be in breadth fiue quarters and a halfe throughout the whole cloth at the leaſt, & being cleane ſcoured, thicked, milled, and fully dried, ſhall weigh euery peece of the ſame cloth fiftie foure pounds the cloth at the leaſt. 4. Iac. 2.

Sorting packe clothes.

138 All narrow liſted Whites and Reddes which ſhall bee made in Wiltſhire, Glouceſterſhire, Oxfordſhire, and the Eaſterne limits of Somerſetſhire, or elſewhere of like making, commonly called Sorting packe Clothes, ſhall containe in length being wette, betweene twentie fiue and twentie eight ſuch ſaid yardes and inches as is aforeſaid, and ſhall be in breadth within the liſts, fiue quarters and a halfe throughout the whole cloth at the leaſt, and liſted with narrow liſts, as hath beene accuſtomed for Sorting packe clothes, and being cleane ſcoured, thicked, milled, and fully dried, ſhall weigh euery peece being white, fiftie one pounds at the leaſt, and being redde, ſhall weigh fiftie pounds the peece at the leaſt. 4. Iacob. 2.

Fine clothes with plaine Liſts.

139 Euery fine Cloth with plaine liſtes made in the counties of Wiltſhire, Glouceſterſhire, Somerſetſhire, and Oxford, or elſewhere of like making, ſhall containe in length betweene twentie nine and thirtie two ſuch ſaid yards and inches as is aforeſaid, and in breadth fiue quarters and a halfe betweene the liſtes throughout the whole cloth, and being cleane ſcoured, thicked, milled, and fully dried, ſhall weigh ſeauentie two pounds at the leaſt. 4. Iac. 2.

Clothes hauing ſtop liſts.

140 All and euery Clothes, hauing ſtoppe liſts, and not plaine liſtes, ſhall containe in length betweene thirtie, and thirtie three of ſuch ſaid yards and inches as is aforeſaid, and in breadth ſeauen quarters within the liſtes, throughout the whole cloth, and in weight ſeauentie eight pounds at the leaſt, as all Worceſter Clothes are limited. 4. Iac. 2.

Tauntons, Bridgewaters, & Dunſters broad clothes.

141 Euery broad cloth, commonly called Tauntons, Bridgewaters, and Dunſters made in the Weſterne parts of Somerſetſhire, or elſewhere of like making, ſhall containe being throughly wette, betweene twelue and thirteene ſuch ſaid yardes and inches as is aforeſaid, and in breadth ſeauen quarters of a yard at the leaſt, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh thirtie pounds the Cloth at the leaſt. 4. Iac. 2.

Tauntons, Bridgewaters, & Dunſters narrowe clothes.

142 Euery narrow cloth of like ſort and making within the ſaid countie of Somerſetſhire, or elſewhere, ſhall containe in length being throughly wette, betweene twentie foure and twentie fiue ſuch yardes and inches as is aforeſaid, and in breadth, one yard within the liſts at the leaſt, and liſted with a narrow liſt, and well ſcoured, thicked, milled, and fully dried, ſhall weigh thirtie pounds a peece at the leaſt, and the halfe cloth thereof to bee of a proportionable length and weight, & of like breadth as aforeſaid. 4. Iac. 2.

Broad and narrow clothes made within the Countie of Yorke.

143 All ſuch like Broadclothes, and Narrow clothes laſt before mentioned, made within the Countie of Yorke, into Whites and Reddes, the broad cloth to hold the ſame lengths, breadth, and weight, but the narrow cloth to be allowed by this Statute to containe betweene ſeauentéene and eightéene yardes of like meaſure, breadth, and in weight proportionable as aforeſaid. quarto Iacob. 2.

Deuonſhire kerſies. S. Br. 104.

144 All Deuonſhire Kerſies called Dozens, ſhall containe in length at the water betweene twelue and thirteene ſuch ſaid yardes and inches as is aforeſaid, and being well ſcoured, thicked, milled, and fully dried, ſhall weigh thirteene pounds the cloth at the leaſt. 4. Iac. 2.

Checke kerſies ſtraites, and plaine graies.

145 All Clothes, called Checke Kerſies Straites, and plaine Graies, ſhall containe in length at the water, betweene ſeauenteene and eightéene ſuch ſaid yardes and inches as is aforeſaid, and in breadth one yard at the leaſt by all the length,

and being well ſcoured, thicked, milled, and fully dried, ſhal weigh twentie foure pounds the peece at the leaſt. 4. Iac. 2.

Ordinarie peniſtones or Forreſts whites. S. Br. 22.

146 All Clothes, called Ordinarie Peniſtones, or Forreſts Whites, ſhall containe in length in the water, betweene twelue and thirteene ſuch ſaid yardes and inches as is aforeſaid, and in breadth fiue quarters and a halfe, and being cleane ſcoured, thicked, milled, and fully dried, ſhall weigh twentie eight pounds ỳ peece at the leaſt. 4. Iac. 2.

Sorting peniſtons.

147 All Peniſtones, called Sorting Peniſtones, ſhall containe in length in the water, betweene thirteene and fouretene ſuch yards and inches, and ſhall be in breadth fiue quarters and a halfe, and being cleane ſcoured, thicked, milled, and fully dried, ſhall weigh thirtie fiue pounds the peece at the leaſt. 4. Iac. 2.

Cogware Kendall, and Carptmeales.

148 All Cogware Kendall, and Carptmeales, ſhall from henceforth be made in ſuch ſort as ſhall beſt pleaſe the buyer, and ſhall not be ſearched, or ſealed, or be ſubiect to any other penaltie than ſuch as was impoſed thereon before Anno 29. reg. Elizabeth. ſo as they ſhrinke not aboue one yard for euery twentie yardes. 4. Iac. 2.

Washers, or waſh whites made in York or Lancaſhire.

149 All Kerſies, called Washers, or Wash Whites, made within the Counties of Yorke, Lancaſter, or elſe where of like making, ſhall containe in length at the water, being halfe thicked, betweene ſeauentene and eightene yards of the meaſure aforeſaid, and being quarter thicked, ſhall containe betweene eightene and ninetene ſuch yards and inches as is aforeſaid, and being cleane ſcoured, and fully dried, ſhall weigh ſeauentene pounds the peece at the leaſt. 4. Iac. 2.

Rowing or raiſing of Cloth.

150 No Cloth-worker, Shear-man, or Fuller, ſhall raiſe or rowe, or cauſed to be raiſed or rowed any kind of Clothes or Kerſies in or with any Oyles, Gooſe-greaſe, Swines-greaſe, or any ſuch like thing of any kinde of Greaſes or Oyles, but ſhall ſheare the ſame cloth, kerſie plain and ſtreight, without laying in or laying on any of the aforeſaid oyles, Gooſe-greaſe, Swines-greaſe, or any other liquid or moiſt thing, but only vpon the edge of the Shears with ſemet or oyles, vpon paine to forfeit for euery time ſo doing contrarie to the true meaning of this Statute, xiy. s. iiy. d. 4. Iac. 2.

Raiſing, fulling, or rowing the liſts of clothes.

151 No Cloth-worker, Shear-man, or Fuller, ſhall raiſe, full, or rowe, or ſheare the liſts and ſides of Clothes and Kerſies better than the middeſt, but ſhall worke all alike, vpon paine of forfeiting for euery Cloth, Kerſie plaine and ſtreight, done contrarie to the true meaning of this Statute, xiy. s. iiy. d. 4 Iac. 2.

Cutting the wooll from the backſides of clothes.

152 No Cloth-worker, or any other perſon or perſons whatſoeuer, ſhall haue or vſe for the cutting or taking away of the wool from the backſides of any Clothes and Kerſies, any Knife or Knives, Rubſter, or Rubſters, Pumiſſtone, or any other deuice whatſoeuer, but onely to sheare the ſame backſide with a paire of ſheares, vpon paine of forfeiting for euery peece wherein or whereupon the ſame ſhall be ſo done, the ſumme of xiy. s. iiy. d. 4. Iac. 2.

Blowing, ſpouting, or bedewing any kind of cloth.

153 No Cloth-worker, Shear-man, or Fuller, or any other perſon or perſons whatſoeuer, ſhall blow, ſpout, or bedeaw any kind of broadcloath, or kerſie, on the ſides, & edges neere the liſts thereof, with any water, or other liquid or moiſt thing whatſoeuer, whereby the edges or ſides of any cloth or kerſie, may make ſhewe to be better than it is, in the ridge, creſt, or midſt therof, vpon paine to forfeit for euery ſuch offence, the ſumme of xiy. s. iiy. d. And if any perſon or perſons ſhall blowe, ſpout, wet, or bedew, or cauſe to be blowed, ſpouted, wet or bedewed with any liquid or moiſt thing, any kind of cloth or kerſie, of whatſoeuer countrey, making or name, for increaſe of weight, thereby to deceiue the buyers or Searchers, ſuch perſon or perſons ſhall forfeit, and loſe for euery ſuch offence, the ſumme of xl. s. 4. Iac. 2.

Blowing of cloth for increaſe of weight.

154 All the ſaid white clothes, & coloured clothes vñ by this preſent Act are not limited

limited, and appointed to be wrought, dreſſed, and ſhorne, ſhal haue allowance, and abatement, for the dying, dreſſing, rowing, and ſhearing thereof, for euery ſuch ſaid ſhort broad woollen Clothes, foure pounds in weight and no more, & the long Clothes fiue pounds, and no more, and ſo after that rate in all and euery the ſame halfe woollen Cloth, Kerſie, and other the ſaid woollen Cloth. Abatement for the dying, dreſſing, rowing, ſhearing.

155 It ſhall and may be lawfull to and for any perſon or perſons, lawfully exerciſing the Trade or Arte of a Clothier, or making of Clothes, to make Flore, Thrummes, and Lambes woll into Cloth of one onely kinde or making, which ſhall containe in length, being throughly wette, betweene twelue and thirteene ſuch yards and inches as is aforeſaid, and in breadth one yard at the leaſt within the liſts, and being cleane ſcoured, thicked, milled, and fully dried, ſhall weigh 15. pounds the peece at the leaſt. S. Br. 57. 122. Into what cloth flore, thrums, or Lambes wool may be put.

156 And for the better and more eaſie diſtinction and knowledge of euery ſuch Cloth from Cloth made of perfect woll, euery Cloth made of Flore, Thrummes, and Lambes woll, ſhall haue the one liſt wholy of blacke Yarne, and on the other ſide a ſeluedge onely. And no perſon or perſons ſhall put any Haire, Flore, Thrummes, or any Yarne made of Lambes woll or other deceiueable thing or things in or vpon any other broad woollen Cloth, halfe Cloth, Kerſie, Frize, Dozen, Bayes, Pennyſtone, Cotton, Taunton cloth, Bridgewater, Dunſter Cotton, or other Cloth of what nature, kinde, or name ſoeuer made to bee ſolde, and ſolde, not being made and liſted with ſuch blacke Liſt and ſeluedge as aforeſaid, vpon paine to forfeit euery ſuch of the ſaid woollen Cloth, halfe Cloth, Kerſie, Frize, Dozen, Pennyſtone, Cotton, and other woollen Cloth of what nature, kinde, and name ſoeuer, other than ſuch as ſhall bee liſted and made as aforeſaid, whereinto or vpon which any ſuch Haire, Flore, Thrums, Yarne of Lambes woll, or other deceiueable thing ſhall be put or vſed, or the value thereof. The meane to know cloth made of flore, thrummes, &c.

157 Prouided alwaies, that in ſuch Townes, places, and Counties, where Flannel, Wadnals, and Couerlets or Blankets are vſually made, the ſame may be made in ſuch ſort, as heretofore hath been lawfully vſed and accuſtomed: This Statute or any thing therein contained to the contrarie thereof in any wiſe notwithſtanding. Places where flannel, wadnals, or couerlets be made.

158 And if any of the ſaid broad woollen Clothes, or halfe Cloth, or any other kind of woollen clothes, Dozens, Cottons, or other ſorts of Woollen cloth before mentioned in this preſent Act, of what natnre, kinde, or name ſoeuer they bee of, made to be ſolde, and ſold, ſhall be more in length than is therefore reſpectiuely limited and appointed in this preſent Act, then euery perſon or perſons ſelling the ſame, ſhall forfeit and paie for euery yard and inch, exceeding the length ſo appointed, the ſumme of x. s. and no more. S. Br. 25. 162. The forfeiture where the cloth is longer than is appointed.

159 And if any ſuch cloth ſhall not weigh proportionably for euery ſuch yard and inch to the ſeuerall and reſpectiue weight to them ſo limited and appointed, the the ſaid perſon or perſons ſelling the ſame, ſhall forfeit and loſe for euery pound weight that ſhall be wanting aboue two pounds, the ſumme of x. s. and no more, any former law or ſtatute to the contrarie thereof in any wiſe notwithſtanding. The forfeit of the cloth that want weight.

160 Any if any ſuch cloth before mentioned, not exceeding the ſeuerall lengths to them by this Statute limited or appointed, and holding the ſeuerall and reſpectiue weight limited, and appointed, doe yet fortune to want of the iuſt breadth limited, or appointed, then the ſaid perſon or perſons, ſelling the ſame, ſhall forfeit and loſe for euery cloth falling narrowe through the whole cloth, twenty ſhillings, and throughout halfe the cloth tenne ſhillings, and vnder halfe the cloth, fiue ſhillings onely and no more, any former Lawes, or Statutes inflicting other or greater penaltie or penalties to the contrarie thereof in any wiſe notwithſtanding. The forfeit if the cloth doe want breadth.

Cloth of leſſe length than the ſeale doth purport.

161 And if any cloth or clothes, of any the names, natures, or making aforeſaid, which by this Statute, or any clauſe or article therein, or any other Statute, now in force and not repealed, ſhall vpon due and conuenient triall, within conuenient time after ſale therof, in preſence of the partie that ſold the ſame, or other perſon or perſons by him appointed, if he or they wil be preſent at the ſearch and triall thereof, or if he or they will not be preſent, hauing reaſonable notice, then in his or their abſence be found to be of leſſe length, than the ſeale or ſeales thereon fixed at the time of the ſale thereof doe purport, then the owner, or perſon or perſons ſelling the ſame, ſhall forfeit and loſe to the marchant, draper, or other perſon or perſons that ſhall haue bought the ſame, for ſo much as ſhall be wanting of the length ſpecified in the Seale or Seales of the ſaid cloth, after the rate of fiue ſhillings eight pence for euery yard, ouer and beſides the true value of ſo much of the ſaid cloth or clothes, as ſhal be found wanting of the length certified by the ſaid Seale or Seales, and no more: Any former Lawe or Statute inflicting other or greater penaltie to the contraris thereof in any wiſe notwithſtanding. S. Br. 30.

A repeale of other Statutes concerning the length, breadth, and weight of Clothes.

162 All and euery branch, clauſe, and ſentence, in any former Statute, whereby any other length, breadth, or weight of the Clothes before mentioned, or any of them, or any other penaltie or forfeiture concerning the length, breadth, or weight of the foreſaid clothes, or any of them, or any other offence by this Act intended to be reformed, is limited, or whereby any penaltie or forfeiture for the offences in this Bill mentioned, or any of them, are giuen to any other perſon or perſons, than in and by this ſtatute is limited and intended, ſhall be from henceforth vtterly repealed and made void.

Cloth ſealed by Ouerſeers ſhall not be ſearched, tried, or watered againe.

163 None of the Clothes aforeſaid, which by the Lawes and Statutes of this Realme ought to be ſealed, of what Name, Nature, or Qualitie ſoeuer they be of, being ſealed by the Ouerſeers, authorized as well by a Statute made Anno 39. Eliz. 20. intituled, An Act againſt the deceitful ſtretching & taintering of northen cloth; as alſo by a Statute made An. 43. El. 10. intituled, An Act for the true working and making of woollen cloth, ſhall afterward be ſearched, tried, or watered by any other perſon or perſons whatſoeuer, but onely by the Marchant or Draper, or other perſon to whom the ſame ſhall be ſold: And if any woollen cloth vpon the Search by the Searchers or Ouerſeers of the Cities, Counties, Townes, or places where the Cloth is made, ſhall be found either to exceed the length, or to want of the weight by this Statute limited, the ſaid Searchers or Ouerſeers finding and certifying the ſaid ouer-length, and the weight that ſhall want, or ſuch of them wherein the offence ſhall happen to haue beene committed, by his or their Seale or Seales, ſhall haue the one moitie of all ſuch penalties and forfeitures, as by this Statute are giuen, limited, and appointed for exceſſe of length, or want of weight, and no other perſon or perſons: and ſhall or may ſue for, and recouer the ſame by A. of debt, B. P. I. in any of the K. courts of Record at Weſtminſter, wherin no E. P. or W. &c. And our ſoueraigne Lord the Kings Maieſtie, his heirs and Succeſſors, ſhall haue the other moitie.

Where the Searchers ſhall haue the moitie of the forfeitures.

Clothes faultie not ſo certified by the Ouerſeers.

164 And alſo if any woollen cloth or clothes of any the natures, names, or makings aforeſaid, ſhall after ſuch ſearch in the countrie or other place aforeſaid, be found to be faultie in any thing not certified, and appearing by the Seale, or Seales of the ſaid Ouerſeers, and Searchers, by the Marchant, or Draper, or other perſon or perſons buying the ſame, vpon due and conuenient triall within conuenient time, after the ſale thereof in preſence of the partie that ſold the ſame, or of other perſon or perſons by him, or them to be appointed, if he or they will bee preſent at the ſearch and triall thereof, or if he or they will not be preſent, hauing reaſonable notice giuen, then in his or their abſence, the ſaid Marchant or Draper, or other perſon that bought the ſame, and no other, ſhall haue the one moitie of all

the

the penalties and forfeitures by this Statute imposed, and incurred, and not become due to the Duersers and Searchers aforesaid, to his owne onely proper vse and behoofe: Any former Statute, matter or thing whatsoeuer to the contrarie hereof, in any wise notwithstanding, and also shall or may sue for, and recouer the same in any of his Maiesties Courts of Record at Westminster, by Action of debt, B.P. or I. wherein no E.P. or W.c. And his Maiestie, his heires and successors, shall haue the other moitie.

165 And forasmuch as of late it hath beene reputed, that a broade woollen cloth, should and ought to consist of foure and twentie such yards and inches as aforesaid, and not aboue, and payments and other duties haue been accordingly demaunded, and paid for the same: Be it therefore enacted, that if any broad woollen cloth, bee made longer or shorter then foure and twentie such said yardes and inches, all duties and payments hereafter to be paide for the same, shal be demaunded and made proportionable, according to the rate and proportion of foure and twentie such said yardes and inches, for a whole cloth and not otherwise. Duties and payments for a broad woollen Cloth.

166 And whereas by this and diuers other Statutes concerning Draperie and clothing, it is enacted, that all and euery broad cloth and clothes, which shalbe made in Kent and Suller, or at the Towne of Reading, or elsewhere of like making, shall bee of a certaine length, breadth, and weight, in this or other the said Statutes, expressed and limited, and in like sort for woollen clothes most vsually made in some other Counties or Townes, are first, specially and particularly named in this and other the said Statutes, and after follow these words (or elsewhere of like making) importing that it should be lawfull for any Clothier of whatsoeuer towne or Countie within this Realme to make Cloth of like making, and accordingly the same hath heretofore beene put in vre: Yet forasmuch as of late some doubt hath thereupon risen, Be it therefore explained and enacted, that it is and shall bee lawfull for euerie Clothier, of what Towne or Countie soeuer within this Realme, where Clothing hath heretofore beene vsed, to make, or cause to be made, any true woollen cloth, of what name, nature, or maner of making soeuer the same be, Albeit the same kind of woollen cloth do beare specially the name of some other Countie, Citie, or Towne within this Realme. 4. Iac. 2. Euery Clothier may make euerie kind of woollen Cloth.

167 Neither this Act, nor any thing therein contained, shall extend to abridge or diminish any Customes, or Dueties appertaining to our Soueraigne Lord the Kings Maiestie, his heires or successors, or to any his Officers, or Ministers, for the searching, measuring or sealing any the Clothes before mentioned, nor to hurt or preiudice the lawfull fees, due or belonging to his Maiesties Aulneger, or to hurt, or preiudice the lawfull vse and exercise of the Office of Aulneger, so as after any Cloth once lawfully searched, and lawfully sealed, the same bee not compelled to be further viewed, searched, measured, or sealed. This Act to continue vntill the end of the first Session of the nert Parliament. 4. Iac. 2. The kings duties and his officers reserued.

168 The foresaid Statute of 5. Ed. 6. repealeth all and euerie Article, Clause, or Sentence in any act of Parliament, therefore made, cõcerning making, dying, dressing, pressing, searching, or sealing any of the kinds of clothes, broad or narrow, white or coloured, Kerseies, Frizes, Rugges, or Cottons, in the said Act mentioned, and being repugnant and contrarie to any Article or sentence in the said Statute. And the Statute of 8. Eliz. 12. repealeth all and euerie Braunch, Clause, Sentence, and Article, specified and contained in any other Acts of Parliament before that time made, concerning the sealing & making of Lancashire Cottons, Frizes, and Rugges. And the Statute of 43. Eliz. 10. repealeth euerie Article, Clause, and Sentence, in any Act of Parliament theretofore made, touching the abuses in the said Act mentioned, and being repugnant and contrarie to any article and sentence in the said Act. And the Statute of 4. Iac. 2. repealeth all and euery Braunch, Clause, and Sentence, in any former

mer Statute, whereby any other length, breadth, or weight of the clothes in the ſame Statute mentioned, or any of them, or any other penaltie or forfeiture concerning the length, breadth, or weight of the clothes in the ſaid Statute mentioned, or any of them, or any other offence by the ſaid Act intended to bee reformed, is limited, or whereby any penaltie or forfeiture for the offences in the ſaid Act mentioned, or any of them, are giuen to any other perſon or perſons, then in and by the ſaid Statute is limited and intended. And therefore conſider diligently, if any Statute, Article, Braunch, or Sentence of any Statute made before either of the foreſaid Statutes, and in this Treatiſe expreſſed, bee by the generall words of either of the ſaid Statutes repealed, as many other whole Statutes and braunches of Statutes bee, which here are omitted: And how far and in what points one of the Statutes in this title inſerted, do agree with ſome other, and wherein they do differ, or be repugnant. Q.

1 The length, breadth, and weight of Welſh Cottons. S. primo Iacobi 25. Br. 19.

2 Aliens not being Denizens, ſhall make no Cloth, nor put any Wooll to worke to make Cloth, S. Aliens 1.

Drunkenneſſe.

The forfeiture of a drunkard.

ALl and euerie perſon or perſons, which after fortie dayes next following the end of this preſent Seſſion of Parliament, ſhalbe drunke, and of the ſame offence of drunkenneſſe ſhalbe lawfully conuicted, ſhall for euerie ſuch offence forfeit and loſe fiue ſhillings of lawfull money of England, to be paid within one weeke next after his or their conuiction thereof, to the hands of the Churchwardens of that pariſh where the offence ſhall be committed, who ſhalbe accomptable therfore to the vſe of the poore of the ſame pariſh. And if the ſaid perſon or perſons ſo conuicted, ſhall refuſe or neglect to pay the ſaid forfeiture, as is aforeſaid, then the ſame ſhall be from time to time leuied of the goods of euery ſuch perſon or perſons ſo refuſing or neglecting to pay the ſame, by Warrant or Precept from the ſame court, Iudge or Iuſtices, before whom the ſame conuiction ſhall be. And if the offendor or offendors be not able to pay the ſaid ſumme of fiue ſhillings, then the offendor or offendors ſhalbe committed to the Stocks for euery offence, there to remaine by the ſpace of ſix houres. 4. Iac. 5.

Refuſing to pay the forfeiture.

The penaltie of the Conſtable omitting his dutie.

2 If any Conſtable, or any other inferiour Officer of that pariſh or place, where the offence ſhall be committed, to whom that ſhall bee giuen in charge by the Precept of any Maior, Bailife, other head Officer or Iuſtices of the peace within their ſeuerall limits, do neglect the due correction of the ſaid offendor, or the due leuying of the ſaid penalties, where diſtreſſe may be had, then euery perſon ſo offending, ſhall forfeit the ſumme of ten ſhillings of currant money of England, to the vſe of the poore of the ſame pariſh, or place where the offence ſhall bee committed, to be leuied by way of diſtreſſe by any other perſon or perſons, hauing warrant from any Maior, Bailife, or other head Officer, Iuſtices of Peace or Court, where any ſuch conuiction ſhall be, and to be paid to the Churchwardens as before limited, who are alſo to account for the ſame to the vſe aforeſaid. 4. Iac. 5.

The penaltie for continuing drinking in an Alehouſe

3 If any perſon or perſons within this Realme of England, or the Dominion of Wales, ſhall remaine or continue drinking or tipling in any Inne, Victualing houſe, or Alehouſe, being in the ſame citie, towne, village, or hamlet, wherein the ſaid perſon or perſons (ſo remaining drinking or tipling) doth dwell and inhabit at the time of ſuch drinking and tipling, and the ſame being viewed and ſeene by any Maior, or other head officer, Iuſtice, or Iuſtices of peace within their ſeuerall limits, or duly proued in ſuch maner & forme as is limited, in and by one act of Parliament

liament, made in the firſt Seſſion of this preſent parliament, intituled, An Act to reſtraine the inordinat haunting and tipling in Innes, Alehouſes, and other victualing houſes, vnleſſe it be in ſuch caſe or caſes as be tolerated or excepted in the ſaid Act, then euery perſon or perſons ſo offending, ſhall forfeit and loſe for euerie ſuch offence the ſumme of iij.s.iiij.d. of currant money of England, to the vſe of the poore of the Parish where the ſaid offence ſhalbe committed, to bee leuied by way of diſtreſſe, in ſuch maner and forme as is before appointed by this Act, for the leuying of the penaltie of fiue ſhillings for being drunke. And if it happen that any Offendor or offendors, againſt the true intent of this clauſe or branch, being thereof lawfully conuicted, be not able to pay the ſaid forfeiture or forfeitures, then it ſhall and may be lawfull for any Maior, Bailife, or other head Officer, Juſtice or Juſtices of peace, or court, where any ſuch conuiction ſhalbe, to puniſh the ſaid offendor or offendors, by ſetting him, her, or them in the ſtocks, for euery ſuch offence, by the ſpace of foure howers. 4. Iac. 5. *S. Alehouſes*

4 All the offences in this Act, and the ſaid former Act mentioned, ſhall bee from time to time diligently enquired of, and preſented before the I. of aſſiſes in their circuit, I. of the peace in their Quarter or ordinary Seſſions, and before the Maiors, Bailifes, or other head Officers of euery citie or towne corporat, who haue power to enquire of treſpaſſes, riots, routs, forces, & ſuch like offences, and in euery Court Leet, & therupon ſuch due proceeding ſhalbe againſt the offendor & offendors, for their due conuiction in that behalfe, as in ſuch like caſes, vpon any Indictment or Preſentment is vſed by the lawes of this Realme, or cuſtoms of the citie, towne or place where ſuch preſentment or indictment ſhalbe inquired of & found. 4. Iac. 5. *Who ſhall inquire and puniſh the offendors.*

5 If any perſon or perſons, being once lawfully conuicted of the ſaid offence of drunkenneſſe, ſhall after that be again lawfully cõuicted of the like offence of drunkenneſſe, then euery perſon and perſons ſo ſecondly conuicted of the ſaid offence of drunkenneſſe, ſhalbe bounden with two ſuerties to our Soueraigne Lord the K. his heirs & ſucceſſors in one Recogniſance or Obligation of x.l. with conditions to be from thenceforth of good behauiour. 4. Iac. 5. *The penaltie for the ſecond offence of drunkenneſſe.*

6 All Conſtables, Churchwardens, Headboroughs, Tithingmen, Alecunners, and Sidemen, ſhall in their ſeuerall othes incident to their ſeuerall Offices, bee charged in like ſort to preſent the offences contrarie to this Statute. 4. Iac. 5. *Officers preſenting offenders.*

7 Prouided alwayes, That this Act, or any thing therein contained, doe not in any wiſe abridge or reſtraine the Eccleſiaſticall power or iuriſdiction, but that all Ordinaries & other Eccleſiaſticall Iudges and Officers, ſhall & may proceed to inquire of, cenſure & puniſh all ſuch offenders, according to the Eccleſiaſticall laws of this realme, in ſuch maner and forme as before they lawfully might doe, any thing in this Act to the contrarie notwithſtanding. 4. Iac. 5. *No reſtraint of Eccleſiaſticall iuriſdictiõ.*

8 Prouided alſo, that when any of the offenders againſt the true intent of this Act, or any branch or article therof, hath been once puniſhed, or corrected for his or her offence, by any the waies & means before limitted, that then the ſaid offender ſhall not be eftſoones puniſhed or corrected for the ſame offence by any other wayes or meanes. 4. Iac. 5. *But one puniſhment for one offence.*

9 Prouided alwayes, that this act, or any thing therein contained, ſhall not bee preiudiciall to either of the two Vniuerſities of this land, but that the Chancellor, maſters, & ſcholers, & the ſucceſſors of them, & either of them may as fully vſe & enioy all their iuriſdictions, rights, priuiledges, & charters, as heretofore they haue, or might haue done, any thing in this Act to the contrarie notwithſtanding. 4. Iac. 5. *The Vniuerſities priuiledges.*

10 Prouided alwaies, that no perſon or perſons ſhall be puniſhed, impeached, or moleſted for any offence mentioned in this ſtat. vnleſſe he ſhalbe for the ſame offence preſented, indicted, or conuicted within ſix monethes after ſuch offence committed. This Act to cõtinue vntil ỹ end of the firſt Seſſ. of ỹ next parliamẽt. 4. Ia. 5. *Within what time the offender ſhalbe preſented, &c.*

Dying,

Dying, Dyers.

Logwood and Blockwood shalbe burned

ALl Logwod, alias Blockwod, in whose hands soeuer the same shall bee found, shall bee forfeited, and openly burned by the authoritie of the Maior, or other head Officer of the Citie, or Towne Corporat, or of two Justices of peace of the Countie where it shall bee found. And no person shall dye, or cause to bee dyed any Cloth, broad Clothes, Kersies, Weols, Penistones, Bayes, Cottons, Hosyarne, Hats, Caps, Flannels, Woodmalles, Mockadoes, Rashes, Buffins, Tuftmockadoes, or any other thing whatsoeuer, with any of the said Ware or Stuffe, called Logwod, alias Blockwod, vpon paine that the Dyer of euery such seuerall thing so dyed, shall forfeit the value of the thing so dyed, to the Quéene and Informer, to bee recouered by Action, B. P. J. &c. wherein no W. &c. E. P. &c. And the partie offending, being thereof conuicted, shall remaine in prison without bayle or Mainprise, vntill hee hath satisfied the same value. 23. Elizab. 9.

Wiring or vsing of Logwood with Woad or other stuffe.

2 If any person shall be suspected to offend by cunning vsing or wiring of the said Logwod, alias Blockwod, together with woad or other stuffe, then any Justice or Justices of Peace of the same Countie, where the said supposed offendor shall dwell, if he dwell out of a Corporat Towne or Citie, and if he dwell within any Corporat Towne or Citie, then the Maior, Bailife, or other head Officer, being a Justice of peace of such Corporat Towne or Citie, where such supposed offendor shall dwell, vpon notice and information to him or them giuen in that behalfe, shal by his or their warrant or other commandement, cause to come before him or them, the seruants and workemen of such supposed offendors, and other persons able to disclose the said deceit, and them to examine by their othe, or otherwise: And if vpon the same examination they shal find any person or persons, to haue vsed, or caused to be vsed, in the dying or colouring of any cloth, woll, yarne, grogeraine, buffins, or silk, or any thing made of woollen yarne or silke, any Logwod, alias Blockwod, or now, or heretofore reputed and taken for Logwod, alias Blockwod, then the said Justices or Justice, Maior, Baylife, or other head Officer, being a Justice of peace, shall not onely bind with suertie all such person or persons, whom they shall find so suspected to haue offended, and such other as may discouer the same offence, to the next Quarter Sessions or Gaole deliuerie, which shall happen to bee holden for the Countie, Citie, or Towne Corporat: but also to certifie all such examinations and depositions, as tend to the finding out or discouerie of the said offences at the said Gaole deliuerie, or Quarter Sessions: And also if any such person so suspected to haue offended, vpon examination aforesaid, shall refuse to bee bound, as aforesaid, then the said person or persons so refusing, to bee committed to the next Gaole, there to remaine, till he, she, or they shall so become bound with suerties. And the said Justices of Assise, or Justices of Peace, at such Gaole deliuerie, or Quarter Sessions, shall haue authoritie to indict and trye the offendors, by the vsuall course of Indictments and trials in like cases, And after such conuiction, to adiudge the said offendors to be set openly on the Pillorie, in the said Citie or Market Towne, where the same offence shall be committed: And if it shall not be in any Market Towne, then in the next Market Town adioyning, in the same Countie, there to continue by all the time of the market, one or more daies, by their discretion, for euerie such offence: And further, euery such offendor, beside his said corporall punishment, shall forfeit for euery such offence the summe of xx. l. to the Qu. and Inf. which will sue for the same by Action of debt, B. P. J. in any Court of Record, wherein no E. P. Wl. or P. &c. And the partie offending, being thereof conuicted, to remaine in prison without baile or mainprise, till he haue satisfied the same. 39. El. 11.

3 No kind of Cloth or Clothes, Kerſeies, Bayes, Frizadoes, broad or narrow, Poſen, or other things, being in the nature of Cloth, ſhalbe mathered for a blacke, except the ſame be firſt grounded with Woad onely, or with Woad and Nele, alias blew Inde, vnleſſe the Madder be put in with Shomack, or Gallis. And no perſon ſhall dye or cauſe to be died any Cloth or Clothes, or other things aboueſaid, of what kind or nature ſoeuer, mathered for a blacke, not hauing a ground of Woad onely, or of woad & Nele, alias blew Inde, vnleſſe the Madder be put in with Shomack, or Gallis, vpon paine that the Dyer of euery ſuch ſeuerall thing ſo dyed, ſhal forfeit the value of the ſame thing ſo died, to the Quéene, and him that will ſue for the ſame, by A. B. P. in any Court of Record, in which ſuit no E. P. W. nor writ of Priuiledge ſhalbe allowed. And the partie offending, being therof conuicted, ſhal remaine in priſon without baile or mainprize, till hee haue ſatiſfied the ſame value. Prouided alwayes, that it ſhall and may be lawfull to dye all maner of gall black, ſhomacke blacke, alias plaine blacke, wherein no mather ſhalbe vſed, as heretofore lawfully hath béen done, this Act &c. notwithſtanding. 23. Eliz. 9.

No cloth ſhall be coloured for black, except it be firſt grounded with woad.

Gall blacke and ſhomacke blacke excepted.

4 Euery Dier, that ſhal die any of the ſaid black Clothes, Kerſies, or Frizadoes, mathered, & not woaded, ſhall before he deliuer any of the ſame forth of his hands fire a ſeale of Lead to euery of them, in which the letter M. ſignifying mathered, ſhalbe contained, vpon paine that euery Dyer offending to the contrarie, ſhall forfeit for euery yard of the ſaid Cloth, Kerſies, Bayes, or Frizadoes, iij. s. iiij. d. And if any perſon ſhall ſell any Cloth, Kerſies, Baies, or Frizadoes, mathered, and not woaded, and ſhal not firſt giue notice to the buyer therof, that the ſame is not woaded, ſhall forfeit alſo the double value of all ſuch Cloth, Kerſies, Baies, and Frizadoes, as he ſhall ſo ſell, which forfeitures ſhalbe to the partie that ſhall ſue for the ſame in any Court of Record by A. B. P. or J. wherein no E. W. &c. 23. Eliz. 9.

A ſeale of lead with the letter M

1 In what maner woollen Cloth dyed, ſhall bee vſed in the dying. S. Draperie 65.

2 None that vſe the dying of Sayes, Worſteds, or Stamels, ſhall callender them. S. Worſteds 3.

Eares.

WHoſoeuer ſhall malitiouſly, vnlawfully, and willingly cut, or cauſe to bée cut off the eare or ears of any of the Kings ſubiects, otherwiſe then by authoritie of Law, Chance-medley, ſudden affray, or aduenture, ſhall forfeit to the P. grieued treble damages, to be recouered by A. of Treſpaſſe, and to the K. for a fine x. l. 37. H. 8. 6.

Cutting off eares.

Eccleſiaſticall perſons, liuings, and Iuriſdictions.

IF any perſon Eccleſiaſticall, or hauing Eccleſiaſticall liuing, ſhall aduiſedly maintaine any Doctrine directly, contrarie to any of the Articles compriſed in a Booke entituled (Articles &c. touching true Religion) and being conuented before the Biſhop, Ordinarie, or the Quénes Commiſſioners in cauſes Eccleſiaſticall, ſhall perſiſt therein, and not reuoke his errour, or after ſuch reuocation, ſhall eftſoones affirme ſuch Doctrine, ſuch maintaining or affirming, and perſiſting, or ſuch eftſoones affirming, ſhall be a lawfull cauſe, to depriue ſuch perſon of his Eccleſiaſticall promotions. And it ſhall bée lawful to the Biſhop of the Dioces, or Ordinarie, or the ſaid Commiſſioners, to depriue ſuch perſons ſo perſiſting, or lawfully conuicted of ſuch eftſoones affirming. And vpon ſentence of depriuation pronounced, he ſhalbe indéed depriued. 13. Eliz. 12.

Maintaining doctrine againſt the articles.

2 No

The age of a beneficed perſon, & he ſhall read and ſubſcribe the articles.

2 No perſon ſhall bée admitted to any Benefice with cure, except he then be of the age of xxiij. yeres at the leaſt, and a Deacon, and ſhall firſt haue ſubſcribed the ſaid articles &c. in the preſence of the Ordinarie, and publikely read the ſame in the pariſh Church of that Benefice, with declaration of his vnfained aſſent to ỹ ſame. And if any perſon to be admitted to a Benefice with cure, doe not within two monethes after his induction publikely read the ſaid articles, in the Church whereof he ſhall haue cure, in the time of common prayer there, with declaration of his vnfained aſſent thereunto, and be admitted to miniſter the Sacraments within one yere after his induction (if he be not ſo admitted before) he ſhalbe immediatly vpon euery ſuch default (ipſo facto) depriued. And no perſon now permitted by any diſpenſation, or otherwiſe, ſhall retaine any benefice with cure, being vnder the age of xxj. yeres, or not Deacon at the leaſt, or which ſhall not be admitted, as is afore ſaid, within one yere next after the making of this Act, or within ſix moneths after he ſhall accompliſh the age of xxiij. yeres, on paine that ſuch his diſpenſation ſhall be mærely void. 13. El. 12.

The miniſters age and his teſtimoniall.

3 None ſhall bee made miniſter, or admitted to preach or miniſter the Sacraments, being vnder the age of xxiij. yeres, nor vnleſſe he firſt bring to the biſhop of that dioces (from men knowne to the biſhop to be of ſound religion) a Teſtimonial both of his honeſt life, and of his profeſſing the doctrine expreſſed in the ſaid articles nor vnleſſe he be able to anſwer and render to the Ordinary an account of his faith in Latine, according to the ſaid articles, or haue a ſpeciall gift and abilitie to bée a Preacher: Nor ſhalbe admitted to the order of a Deacon, or Miniſterie, vnleſſe he ſhall firſt ſubſcribe to the ſaid articles. 13. El. 12.

Examination of a perſons abilitie.

For the examination of the ability of a perſon preſented to an Eccleſiaſticall benefice, doth pertaine to an Eccleſiaſticall Judge: And ſo it hath bæn heretofore vſed, and ſhalbe in time to come. Articuli cleri. An nono Ed. 2. 13.

Benefice of the value of xxx. l.

4 None ſhall be admitted to any Benefice with cure, of, or aboue the value of xxx. l. yerely in the Quænes bookes, vnleſſe he ſhall then be a Batcheler of Diuinitie, or Preacher lawfully allowed by ſome biſhop within this Realme, or by one of the Vniuerſities of Cambridge, or Oxford. 13. El. 12.

5 All admiſſions to benefices, inſtitutions, and inductions to be made of any perſon contrarie to the forme, or any prouiſion of this act, and all tollerations, diſpenſations, qualifications, and licences whatſoeuer to be made to the contrarie hereof, ſhalbe mærely void in law, as if they neuer were. Prouided alwayes, that no title to conferre or preſent by Lapſe, ſhall accrue vpon any depriuation ipſo facto, but after ſix moneths after notice of ſuch depriuation giuen by the Ordinarie to the Patron. 13. El. 12. For Conuſance and diſcuſſing of the voydance of benefices appertaineth to the Judges of holy Church, and not to the lay Judge. An. 25. Ed. 3. 8. pro Clero.

No Lapſe but after notice.

Leaſes and other aſſurances of biſhops landes.

6 All gifts, grants, feoffements, fines, and other conueyances or eſtates, from the firſt day of the Parliament begun 24. Ian. Añ Dom. 1558. had, made, done, or ſuffered, or to be had, made, &c. by any Archbiſhop, or Biſhop, of any Honors, Caſtles, Manors, Lands, Tenements, or other Hereditaments, being parcell of the poſſeſſion of his Archbiſhoprick or Biſhoprick, or vnited, appertaining, or belonging to any of the ſame, to any perſon (other then to the Queene, her heires or ſucceſſors) whereby any eſtate ſhould or might paſſe from the Archbiſhop, or Biſhop, other then for terme of one and twentie yeres, or three liues, from ſuch time as any leaſe, graunt, or aſſurance ſhal begin, & whereupon the old accuſtomed yerely rent, or more, ſhalbe reſerued paiable yerely, during the ſaid terme of one and twentie yeares, or three liues, ſhall be vtterly void, any Law, Cuſtom, &c. notwithſtanding. 1. Eliz. a Statute not printed. Euerie Archbiſhop and Biſhop within this realm, and their and euerie of their ſucceſſors, ſhal be for euer wholly and vtterly diſabled

in

in law, to make, doe, leuie, or ſuffer any act or acts, thing or things, whereby, or by meanes whereof any of the honors, caſtles, manors, lands, tenements, or hereditaments, parcell of the poſſeſſions of his Archbiſhoprick or Biſhoprick, or vnited, appertaining or belonging to any of the ſame, or any part of them, or any of them, ſhal or may be alienes, aſſured, giuen, graunted, demiſed, or charged, or in any ſort conueyed to our Soueraigne Lord the King, his heires, or ſucceſſors: And all alienations, aſſurances, gifts, graunts, leaſes, charges, and conueyances whatſoeuer, to be done, ſuffered, or made to our ſaid Soueraigne Lord the King, his heires or ſucceſſors, by any Archbiſhop, or Biſhop, or their, or any of their ſucceſſors, of, or out of any of the ſaid poſſeſſions, or of, or out of any part or parcell of them, and all & euery confirmation & confirmations of the ſame, ſhall be vtterly void, to all intents & purpoſes: any former law, ſtatute, or other thing to the contrary notwithſtanding. 1. Iac. 3.

No Biſhop ſhal aſſure his land to ỹ King

7 All Leaſes, Gifts, Graunts, Feoffements, Conueyances, or Eſtates to bee made, had, done, or ſuffered, (viz. from 2. Aprilis, Ann. Dom. 1571.) by any Maſter and Fellowes of any Colledge, Deane and Chapter of any Collegiat or Cathedrall Church, Maſter or Gardein of any Hoſpitall, Parſon, Vicar, or any other, hauing any Spirituall or Eccleſiaſticall liuing of any houſes, lands, tithes, tenements, or other hereditaments, being parcell of the poſſeſſions of any ſuch Colledge &c. or any way belonging to the ſame, or of any of them, to any perſon &c. bodies politique or corporat, other then for the terme of xxj. yeares, or three liues, from the time of ſuch Leaſe or Graunt made, whereupon the accuſtomed yearely rent or more ſhal be reſerued, and yearely payable during the ſaid terme, or whereof any former leaſe for yeares is in being not to be expired, ſurrendred, or ended within iij. yeares next after the making of any ſuch new leaſe, ſhalbe vtterly void. 13. Eliz. 10. 18. Eliz. 10. And euery Bond and Couenant whatſoeuer, made for renuing or making of any leaſe, contrarie to the true intent aforeſaid, ſhall be vtterly void. 18. El. 10. But this act ſhall not be conſtrued to make good any leaſe or other graunt made by any Colledge or Collegiat church within Oxford and Cambridge, or elſewhere, for more yeares then are limitted by the priuate Statutes of the ſame colledge. Neither ſhall this act extend to any Leaſe hereafter to be made, vpon ſurrender of any Leaſe heretofore made, or by reaſon of any couenant or condition contained in any Leaſe heretofore made, and now continuing, ſo that the Leaſe to be made doe not containe more yeares then the reſidue of the yeares of the former Leaſe now continuing, ſhal be at the time of ſuch Leaſe hereafter to be made, nor any leſſe rent then is reſerued in the ſaid former Leaſe. 13. Elizab. 10. And the Preſident and Schollers of Saint Iohn Baptiſts Colledge, founded by Sir Thomas White Knight, Alderman of London, in the Vniuerſitie of Oxford, may from time to time demiſe the manor of Fiſhide, alias Fifield, the copyholds, and other appurtenances in the Countie of Bark. to Ralph White, brother to the ſaid Sir Thomas White, for the terme of foureſcore and nineténe yeares, if the ſaid Ralphe ſhall ſo long liue, and ſo to euery heire male of the ſaid Sir Thomas ſucceſſiuely, according to the forme of a Leaſe thereof alreadie made to the ſaid Ralphe. And euery ſuch Leaſe ſo to be made, and euery couenant made or to bee made for the performance of the ſame, ſhall be good in Law, as if the ſaid act made in the ſaid thirténe yeare had neuer béene made, any thing in the ſaid act of 13. Eliz. or any other act or matter &c. notwithſtanding. 18. Eliz. 10. S. 14. Eliz. that it was enacted in a Statute not printed, that theſe words (viz. Maſter or Guardian of any Hoſpitall, mentioned in the former act of 13. Eliz.) were intended and meant of all Hoſpitals, Meaſons de dieu, Bead-houſes, and other houſes ordained for the ſuſtentation or reliefe of the poore, and ſo ſhall be expounded and taken for euer.

Aſſurances made by Colledges, Cathedrall churches, Parſons.

3 yeares mi king.

Colledges in Oxford and Cambridge.

New leaſes vpō ſurrender of old and former couenāts.

Certaine words expounded.

Colledges &c. may let certain lands for xl. yeares.

8 But any of the perſons, bodies politique, or corporate aforeſaid, may graunt, aſſure, or leaſe any houſes belonging vnto thē, being not their Capitall or dwelling houſe vſed for their habitation, nor hauing ground belonging vnto them, aboue the quantitie of tenne acres, or any groūds to ſuch houſes appertaining, which be ſituat in any citie, borough, towne corporat, or Market towne, or the ſuburbes of any of them, in ſuch ſort, as by the Lawes of the Realme, and the ſeuerall Statutes of their houſes they may do: ſo that no leaſe be made in reuerſion, nor without reſeruing the accuſtomed yearely rent at the leaſt, nor without charging the leſſee with the reparations, nor for longer time then xl. yeares at the moſt. Nor any houſes of the ſaid Colledges, bodies politique &c. ſhall be aliened, vnleſſe that in recompence thereof, there ſhal be before, with, or preſently after ſuch alienation, good, lawfull, & ſufficient aſſurance made abſolutely in fee ſimple, to ſuch Colledges &c. and their ſucceſſors, of lands of as good value, and as great yearely rent at the leaſt, as ſo ſhal be aliened. 14. Eliz. 11. 1. Iac. 25. To endure vntil the end of the firſt Seſſion of the nert Parliament.

Colledges may not alien their lands, except they haue ſufficient and preſent recompence.

Leaſes of benefices with cure.

9 No Leaſe made of any benefice or Eccleſiaſticall liuing with cure, or any part thereof, and not being impropried, ſhall endure any longer, then while the leſſour ſhall be ordinarily reſident, and ſeruing the cure of ſuch Benefice without abſence aboue foureſcore dayes in any one yeare: But euery ſuch Leaſe immediatly vpon ſuch abſence ſhall ceaſe and be void, and the Incumbent ſo offending, ſhall for the ſame loſe one yeares profit of his ſaid Benefice, to be diſtributed by the Ordinarie amongſt the poore of the Pariſh. 13. Eliz. 20. And after complaint made to the Ordinarie, & ſentence giuen vpon any offence committed by the Incumbent, whereby he ſhall or ought to loſe one years profit of his benefice, the Ordinarie within two moneths after ſuch ſentence giuen, and requeſt made by the Church-wardens of the ſame Pariſh, or one of them, ſhall grant the Sequeſtration of ſuch profits to ſuch inhabitant or inhabitants within the Pariſh where ſuch benefice ſhal be, as to him ſhall ſeeme meet: and vpon default therein by the Ordinarie, it ſhall be lawfull to euery Pariſhioner, where the Benefice is, to retaine his Tithes, and likewiſe for the Church-wardens of the ſaid Pariſh to enter and take the profites of the Glebe lands, and other rents and duties of euery ſuch Benefice, to bee employed to the vſe of the poore, as aforeſaid, vntill Sequeſtration ſhall be committed by the Ordinarie, and then as well the Church-wardens as Pariſhioners ſhall yeeld account of, and make payment to him, or them, to whom ſuch Sequeſtration ſhall be committed. And he or they, to whom ſuch Sequeſtration ſhall be committed, from time to time ſhall iuſtly and truely beſtow the ſaid profits, or the iuſt value thereof without fraud, to ſuch vſes as by the ſaid Statute is appointed, vpon paine of forfeiture of the double value of ſuch with-holden profites, to bee recouered in the Eccleſiaſticall Court, by the poore of the ſaid Pariſh. 18. Eliz. 10.

Sequeſtratiō graunted by the Ordinarie

Pariſhioners may retaine their tithes.

Bands, contracts &c. for the enioying of benefices.

10 All Bands, Contracts, Promiſes, and Couenants made for ſuffering any perſon to enioy any benefice or Eccleſiaſticall promotion with cure, or to take profits or fruites thereof (other then ſuch Bands and Couenants as ſhall be made for aſſurance of any Leaſe heretofore, viz. before the Statute made) ſhall be to all entents adiudged of ſuch force, and no otherwiſe, as Leaſes made by the ſame perſons of ſuch Eccleſiaſticall promotions with cure. 14. Eliz. 11. All iudgements hereafter to be had for that intent, to haue or enioy any Leaſe contrary to the ſaid Statutes, or any of them, ſhall be deemed void, in ſuch ſort as Bands and Couenants are appointed to be void, which are made for that purpoſe 43. Eliz. 9. 1. Iac. 25.

Iudgements giuen for the enioying of leaſes.

Demiſe of a Benefice to a Curate.

11 Euery perſon allowed by the lawes of this Realme, to haue two benefices, may demiſe one of them, vpon which hee ſhall not be ordinarily reſident, to his Curate,

Curate, which ſhall ſerue the cure for him: which leaſe ſhall endure no longer then during ſuch Curates reſidence, without abſence aboue xl. daies in any one yeare. 13. El. 20. 1. Iac. 25.

12 All Leaſes, Bands, Promiſes, and Couenants, of, and concerning Benefices, and Eccleſiaſticall Liuings with cure, to be made by any Curate, ſhall be of no other, nor better force, validitie, or continuance, then if the ſame had bæn made by the beneficed perſon himſelfe, that demiſed the ſame to his Curate. 14. Eliz. 11. 1. Iacob. 25. Bands, contracts &c. made by a Curate.

13 All chargings of benefices with cure, with any penſion, or with any profit out of the ſame, to be yelded or taken (other then rents reſerued vpon leaſes to bæ made according to ẏ meaning of this act) ſhalbe void. 13. El. 20. 1. Iac. 25. to continue to the end of the firſt Seſſion of the next Parliament now nert enſuing. Charging of Benefices.

14 No ſpirituall perſon ſhall take to farme to himſelfe, or to any perſon to his vſe, of the leaſe or grant of the K. or any other perſon or perſons, by letters patents, indentures, writings, by word or otherwiſe, by any maner of means, any manors, lands, tenements, or other hereditaments, for terme of life, yeares, or at will, vpon paine to forfeit for euery moneth that he, or other to his vſe, doe occupie ſuch farme by reaſon of any ſuch graunt or leaſe x.ℓ. to the K. and I. to be recouered by A. B. P. I. wherein no W. E. P. &c. except the Temporalties of an Archbiſhoprick, Biſhoprick, or Collegiall, Cathedrall, or conuentuall Church, and lands, to be letten vpon a Trauers tendred after an office found concerning his frœhold, & a dwelling houſe hauing but only orchards and gardens, in any citie, borough, or towne, for his owne habitation, all which a Spirituall perſon may take to farme (but by the ſaid dwelling houſe he ſhall haue no colour of Non reſidence) And alſo except Preſidents, and Maſters of Colledges, hauing lands or other yerely profites, in the right of their houſes, vnder, and not aboue eight hundred markes, which may occupie as much of their demeane lands, fœ farms, and farmes, to their moſt profit, for the onely maintenance of their houſholdes, as they or any of their predeceſſors, at any time by the ſpace of an hundred years, before the making of this Act, might haue done. And all Spirituall perſons hauing landes or other premiſſes in the right of their houſes, aboue the yerely value of eight hundred markes, may kæp, & retaine in their occupation and manurance, as much of their ſaid lands and other poſſeſſions, as ſhall be neceſſarie and ſufficient for paſturage of their cattell, and for tillage of corne, to bæ imploied and ſpent for the maintenance and kæping of their houſholds and hoſpitalities without fraud or couin. 21. H. 8. 13. Whether a leaſe made to a ſpirituall perſon, or to any other to his vſe for terme of life, yeres, or at will, of any lands &c. whereof he taketh ẏ profit &c. be void by this ſtatute, or not, S. Stat. & Quære. Vide Dier fol. 358. that the leaſe is not void. Taking of Farmes. Quære.

15 If any ſpirituall perſon do by himſelfe, or any other for him to his vſe, bargaine & buy to ſell againe for gaine, in any Markets, Faires, or other places, any manner of cattell, corne, lead, tinne, hides, leather, tallow, fiſh, wooll, wood, or any manner of vitaile, or marchandiſe, of what kind ſoeuer they be, he ſhall forf. the treble value of the things ſo bought to ſell again, to the K. and I. to be recouered by A. B. P. I. &c. wherein no W. E. P. &c. And alſo the ſaid bargain & contract ſhalbe vterly void. But a ſpirituall perſon which without fraud buyeth any horſes, cattels, goods, &c. with only intent at the buying thereof to imploy the ſame to the neceſſary apparell of himſelfe, his ſeruants, or houſe, or for the onely occupying or manuring of his glebe or demeſne lands annexed to his church, or for the neceſſary expences of his houſhold, & after the buying or exerciſing therof, miſlike the ſame, ẏ they ſhould not be good, profitable, & conuenient, for any of ẏ purpoſes aboueſaid, for which they were bought, then he may lawfully bargaine & put them away. And alſo other ſpirituall perſõs not hauing ſufficient glebe or demeſn lands in their own hands, in ẏ Buying and ſelling.

In what caſes ſpirituall perſons may take lands in farme.

right of their churches, houſes, &c. for paſturing of cattell, or for increaſe of corne, for the onely expences of their houſholds, or for their carriages and iourneies, may take in farme other landes, and buy and ſell corne and cattel for the onely manurance, tillage, and paſturage of ſuch farmes, ſo that the increaſe thereof be alwaies imployed for the onely expences in their houſholds, and not to buy and ſell againe for any other commoditie, but onely the ouerplus of ſuch corne and cattell aboue the expences of their houſholds, if any ſuch ſhall happen to be bred and increaſed thereof without fraud or couin. 21. H. 8. 13.

A ſpirituall perſon ſhal not occupie a parſonage or vicarage in farme.

16 If any Spirituall perſon beneficed with cure, do occupy by himſelfe, or any other to his vſe, any Parſonage or Vicarage in farme of the leaſe or graunt of any other perſon, or take any profit or rent out of ſuch farme, he ſhall forfait xl.s. for euery weeke, that he, or any to his vſe ſhall occupy any ſuch farme. And alſo ſhall forfait ten times the value of ſuch profit or rent which hee ſhall take out of any ſuch farme, to the K. & I. to be rec. by A. I. &c. wherein no W. E. P. &c. 21. H. 8. 13.

A ſpirituall perſon ſhal not keep a Tanne houſe or Wzue houſe.

17 If any Spirituall perſon ſhall haue, vſe, or keepe, by himſelfe, or any other to his vſe or commoditie, any Tanne houſe to be occuppyed to his vſe or commoditie, or any Wzue houſe, to any other intent then only to be ſpent and occuppyed in his owne houſe, he ſhal forf. for euery month ſo vſing or occuppying any of the ſaid myſteries x.l. to the K. & I. to be rec. by A. I. &c. wherin no W. E. P. &c. 21. H. 8. 13.

Pluralities.

18 If any perſon hauing one benefice with cure of ſoule, being of the yearely value of viij. l. or aboue, doth accept another with cure of ſoule, and be inſtituted, and inducted in poſſeſſion of the ſame, then immediatly after ſuch poſſeſſion had thereof, the firſt benefice ſhalbe adiudged in the law to be void. And euery Patron hauing the aduowſon thereof, may preſent another, and the preſentee ſhall haue the benefit of the ſame, as though the Incumbent had died, or reſigned. But no Deantie, Archdeaconry, Chauncelorſhip, Treaſorerſhip, Chaunterſhip, or Prebend, in any Cathedrall or Collegiat church, nor parſonage that hath a Vicar indowed, nor any benefice perpetually appropriat, ſhall be taken vnder the name of a benefice with cure of ſoule. 21. H. 8. 13.

Which ſhall not be ſaid benefices with cure of ſoule.

Theſe may haue pluralities by their ſeruice.

19 But all Spirituall men of the Kings Counſell may purchaſe licence or diſpenſation, and take, receiue, and keepe three Parſonages, or Benefices with cure of ſoule. And all other ſpirituall men not ſworne of his Councell, which be Chapleines to the K. or Q. Prince, Princeſſe, or to any of the Kings children, brethren, ſiſters, vncles, or aunts may purchaſe licence or diſpenſation, and receiue, and keepe two benefices with cure of ſoule. And euery Archbiſhop may haue viij. Chapleines, euery other Biſhop fiue, euery Duke fiue, euery Marqueſſe and Earle fiue, euery Vicount foure, the Chancellor of England three, euery Baron and Knight of the Garter three: euery Dutcheſſe, Marqueſſe, Counteſſe, Baronneſſe (being widowes, or which haue taken any huſband vnder the degree of a baron) two: The Treaſorer and Comptroller of the Kings houſe two, the Kings Secretary two, the Deane of the K. Chappell two, the K. Amner two, the Maſter of the Rolles two, the chiefe Juſtice of the K. Bench one, the Warden of the fiue Ports one Chapleine: euery of which Chapleines may purchaſe licence, and receiue, haue & keepe, two parſonages or benefices with cure of ſoule. But the Chapleines ſo purchaſing, receiuing, & keeping benefices with cure of ſoule, be bound to haue, & exhibite where need ſhall be, letters vnder the ſigne and ſeale of the K. and other their Lord & maſter, teſtifying whoſe Chapleines they be, or els not to enioy any ſuch pluralitie of benefices. And if any perſon to whom any Chapleines be limited by this act, ſhall by colour thereof, aduance any ſpirituall perſon, aboue the number to him appointed, to receiue any mo benefices with cure of ſoule, then is before limited, then the ſpirituall perſon ſo aduanced aboue the ſaid number, ſhall incurre the penaltie conteined in this Act. 21. H. 8. 13.

Exhibiting letters vnder their Lords ſeales.

Aduancing moe Chapleines then is allowed.

20 Euery

20 Euery brother, or ſonne of any temporall Lord borne in wedlocke, may purchaſe licence, or diſpenſation, & receiue, haue, & kæpe as many benefices with cure, as the chapleines of a Duke or Archbiſhop: and euery brother & ſonne of a Knight, borne in wedlocke, and euery Doctor & Batchelor of Diuinitie, Doctor & Batchelor of law Canon, which be admitted to the ſaid degrees, by any of the Vniuerſities of this Realme, & not by grace onely, may purchaſe licence, and take &c. two benefices with cure of ſoule. 21. H. 8. 13. And all Suffragans which ſhall exerciſe the ſaid office of Suffragans, by cõmiſſion of the biſhop, may haue two benefices with cure. 26. H. 8. 14. 1. El. 1. But the ſaid liberty giuẽ to any of the perſons aforeſaid, to purchaſe licence, or diſpenſation, & receiue & kæpe moe benefices thẽ one, ſhalbe vnderſtanded, to extend in number to no moe benefices with cure of ſoule thẽ is aboue limitted: Sauing that the K. may giue to any one of his chapleines, being ſpirituall perſons, what number of benefices or promotions ſpiritual he wil. And alſo he may graunt licence to any of them for Nonreſidence, & the ſaid chapleins may accept the ſame, without incurring any penalty. 21. H. 8. 13.

Pluralities by birth or degree.

Suffragans.

Kings Chapleines.

21 Euery ſpirituall perſon promoted to any Archdeaconrie, Deanrie, or Dignitie in any Cathedrall church, or other church conuentuall, or Collegiall, or being beneficed within any Parſonage, or Vicarage, ſhalbe perſonally reſident in, at, and vpon his ſaid dignity, prebend, or benefice, or at one of them at the leaſt. And if any ſuch ſpirituall perſon do not kæpe reſidence at one of his ſaid dignities, prebend, or benefice, but abſent himſelfe wilfully by the ſpace of one moneth together, or by the ſpace of two moneths, to be accompted at ſeuerall times in any one yere, & make his reſidence & abiding in any other places by ſuch time, then he ſhal forfeit for euery ſuch default x. l. to the K. & I. to be recouered by A. P. B. I. &c. wherein no W. E. P. &c. 21. H. 8. 13.

Reſidence.

22 The ſtatute of Nonreſidence ſhall not extend, nor be preiudiciall to any ſpirituall perſon being in the K. ſeruice beyond the ſea, nor to any perſon going to any pilgrimage or holy place beyond the ſea, during the time of their ſeruice and pilgrimage, and going and returning home, nor to any Scholler vnder the age of xl. yeares, being conuerſant and abiding for ſtudy (without fraud) at any Vniuerſity within this Realme or without. 21. H. 8. 13. So that the ſaid ſcholler be preſent at the ordinary lecture, as well at home in their houſes, as in the common ſchooles, & in his proper perſon kæp Sophiſmes, Problemes, Diſputations, or other exerciſes of learning, & be opponent & reſpondent in the ſame, according to the ordinances and ſtatutes of the Vniuerſities where &c. Nor to any ſcholler, of, or aboue the age of xl. yeares, being conuerſant in any of the ſaid Vniuerſities, which is Chancelor, vicechauncelor, or Commiſſarie of any of the ſaid Vniuerſities, or Warden, Deane, Prouoſt, Preſident, Rector, Maſter, Principall, or other head ruler of a Colledge, Hall, &c. or Doctor of the Chaire, or Reader of Diuinitie in the common Schooles, or Reader of any common lecture in Diuinitie, law Ciuill, Phiſicke, Philoſophie, Humanitie, or any of the liberall Sciences, or common Interpreter, or Teacher of the Hebrew, Chaldy, or Græke tongue in any Colledge, or other place of the ſaid Vniuerſities: Nor to any perſon aboue the age of xl. yeres, which ſhall reſort to any of the ſaid Vniuerſities to proceed Doctor in Diuinitie, law Ciuill, or Phyſick, for the time of his proceeding & executing of ſuch Sermons, Diſputations, & Lectures, which by the ſtatute of the Vniuerſity he is bound vnto for the ſaid degree. 28. H. 8. 13. Neither ſhall this ſtatute extend to any chapleines of the K. M. Prince, Princeſſe, K. or M. children, brethren, or ſiſterne: nor to any chaplein of any Archbiſhop, Biſhop, ſpirituall or temporall L. of the Parliament, Ducheſſe, Marqueſſe, Counteſſe, Vicounteſſe, Baronneſſe (being widowes, or maried again &c.) Lord Chauncelor, or Treaſurer of England, the K. Chamberlaine, or Steward of his houſhold, or of the Treaſurer or Controller of the Kings houſe: Nor to any chapleine of any

Who may be diſcharged of reſidence, & by what meanes.

Knight of the Garter, chiefe Iuſtice of the Kings bench, Warden of the fiue portes, Maſter of the Rols, the K. Secretarie, Deane of the K. Chappell, or of the K. Amner, attending daily in the houſhold of the foreſaid perſons, during the time that any ſuch chapleine ſhall abide & dwell in any of the ſaid houſholds. 21. H. 8. 13. Neither ſhal this ſtatute of Nonreſidence be preiudiciall to any one chapleine of any of the Iudges of the K. Bench, or of the Common pleas, of the Chauncelor, or chiefe Baron of the Exchequer, of the K. Atturney, or generall Solicitor, but euery of thē may haue one chapleine in his houſe, or attendant on his perſon, hauing one benefice with cure of ſoules, which may be abſent and not reſident. 25. H. 8. 16. Neither doth this Statute extend to any one chapleine of the Chauncelor of the Duchie of Lancaſter, or of the Maſter of the K. Wards & Liueries, or of the Treaſurer of the K. chamber, or of the Grome of the ſtole: Euery of which may retaine ſingularly in his houſe, or attendant vnto his perſon one chapleine hauing one benefice with cure of ſoule, which may be abſent from his benefice and Nonreſident. 33. H. 8, 28. Neither ſhall this ſtatute of Nonreſidence be preiudiciall to ỹ Maſter of the Rols, or Deane of the Arches, nor to any Chauncelor or Commiſſarie of any Archbiſhop or Biſhop, nor to as many of the twelue Maſters of the Chauncerie, & twelue Aduocates of the Arches as be ſpirituall men, during the time they ſhall occupie their romes: Nor to any ſpirituall perſon, which ſhall by Iniunction of the Lord Chauncelor, or the K. Councell, be bound to daily apparance, to anſwere the law, during the time of ſuch Iniunction. 21. H. 8. 13. And the reſidence of him which ſhall bee Suffragan ouer the Dioces, where he ſhall haue commiſſion, ſhal ſerue him for his reſidence as ſufficiently, as if he were reſident vpon any other his benefice. 26. H. 8. 14. 1. Eliz. 4.

Theſe Chapleines muſt ſometime reſort to their cure.

23 If any chapleine of the Chauncelor of the Duchie of Lancaſter, of the Maſter of the Wards & Liueries, of the Treaſurer of the K. chamber, or of the Grome of the ſtole, which is licenced to be abſent & not reſident vpon his benefice, doth not repaire two times in euery yeare at the leaſt to his benefice & cure, and there tarry 8. daies at the leaſt at euery time, to viſit and inſtruct his cure, he ſhall forfeit xl. s. for euery time ſo failing, to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 33. H. 8. 28. Such Clerkes as attend in the K. ſeruice, ſhall be corrected by their Ordinaries, as others be: but ſo long as they are occupied about his buſineſſe, they ſhall not be bound to kæpe reſidence in their churches. Artic. Cleri 9. Edw. 2. 8.

Firſt fruits.

24 If any perſon being elected, prefected, preſented, nominated, collated, or appointed to any Archbiſhoprick, Biſhoprick, Colledge, Hoſpitall, Archdeacontie, Deanrie, Prouoſtſhip, Prebend, Parſonage (exceding ỹ yerely value of x. marks, after the value vpon the records and bookes of rates and values, for the firſt fruits and tenths remaining in the Exchequer) Vicarage (exceding the yearely value of x. l. after the ſame rate) or other dignitie, benefice, office, or promotion ſpirituall, within any of the Kings dominions (the Deane and Canons of the chappell of S. George within the caſtle of Windſor, and all the poſſeſſions and hereditaments of the ſame chappell, the Vniuerſities of Cambridge & Oxford, and certaine colledges and Hals therein, and the colledges of Eaton & Wincheſter except) doth not before the actuall or reall poſſeſſion or medling with the profits thereof, ſatisfie, content, & pay, or compound, or agrée to pay to the K. vſe, at reaſonable dayes, vpon good ſureties, the firſt fruits, reuenues, and profits, for one yeare of the ſaid dignity or promotion ſpirituall (which yeare ſhall begin and be accompted immediately after the vacation or auoidance of the ſaid promotion. 28. H. 8. 11.) and is thereof conuict by preſentment, verdict, confeſſion, or witneſſes, before ſuch as haue authority to compound for the ſaid firſt fruits, he ſhalbe taken an Intruder vpon the K. poſſeſſion, & he, his executors or adminiſtrators ſhall pay to the K. vſe, for euery ſuch offence, ſo much

much money as ſhall amount to the double value of the firſt fruits of the ſpirituall promotion for one yeare, wherein he ſhall enter & intrude before the paiment of the ſaid firſt fruits, or agrément for the ſame. 26.H.8.3. 1.El.4. For the court of firſt fruits S.32.H.8.45.

25 All writings obligatorie, taken for the paiment of the ſaid firſt fruits by any perſon deputed to compound for the ſame, be of the ſame ſtrength, qualitie, & effect, to all intents, as writings obligatorie made by any lay perſon by authoritie of the ſtat. Staple bin. And no perſon ſhalbe compelled to pay for any writings obligatorie to be made, for the paiment of the ſaid firſt Fruits, aboue 8.d. nor for any acquitance for the receit thereof, aboue iiij.d. 26.H.8.3. Obligations for firſt fruits. The fées.

26 But euery perſon named, preſented, or by any meanes appointed to any dignitie or promotion ſpirituall, ſhall at his compoſition & entry into ſpecialtie for the payment of his firſt fruits, haue allowance & deduction of the x. part of the whole, out of the ſumme to be paid for the ſaid firſt fruits, for the yere wherein he ſhall be firſt nominated, preſented, or by any other means appointed to any ſuch dignity or promotion ſpirituall, according to the iuſt rate & taration of the x. of euery ſuch promotion ſpirituall. And then he ſhal pay vnto the K. his heires & ſucceſſors the ſaid x. part the ſaid firſt yeare. If the ſucceſſor of any Incumbent ſhalbe charged to pay to the K. any ſumme of mony due for the tenth, in the time of his predeceſſor, Then he may diſtrain the goods of his ſaid predeceſſor, or of his executors or adminiſtrators, & ſell ſo much thereof within xy. daies, as will ſatiſfie him. And if he or they haue no goods vpon the ſaid dignity, he may take his remedy in the Chauncerie againſt his ſaid predeceſſor his executors, or adminiſtrators. 27.H.8.8. The tenths ſhalbe deducted forth of the firſt fruits. Tenths due by the predeceſſor.

27 If any Incumbent of any ſpirituall promotion, chargeable to pay the firſt fruits, doth liue to the end of one halfe yére next after the laſt auoidance of the ſaid promotion, ſo as he hath, or without couin might lawfully haue receiued or enioied the rents or profits of that halfe yere, and before the end of the other halfe yere then next following doth die, or is lawfully euicted, remoued, or put frō the ſaid promotion ſpirituall, by iudgement in an action at the common law, without fraud or couin, then he, his heires, executors, adminiſtrators, & ſureties, ſhall be charged but only with the iij. part of the firſt fruits due to be paid for his ſaid promotion, & with no more of the ſaid firſt fruits: any thing in this Act, any bond or writing, or other matter notwithſtanding &c. If the Incumbent liue by the ſpace of one whole yere next after the laſt auoidance of the ſaid promotion ſpirituall, & then before the end of one halfe yere then next after ſhal fortune to die, or be lawfully euicted, remoued &c. then he, his executors, or &c. ſhall be charged but only with the moitie of the firſt fruits &c. and with no more. If the Incumbent liue to the end of one whole yere & a halfe next after the laſt auoidance &c. and then before the end of fiue moneths then next following ſhall fortune to die, or be lawfully euicted, &c. Then he, or &c. ſhal be charged but only with three parts of the firſt fruits of the ſame promotion ſpiritual in foure to be diuided, and with no more. If the Incumbent doth liue to the end of two whole yeres next after the laſt auoidance of the ſame his promotion ſpirituall, and not be lawfully euicted, remoued, or put from the ſame &c. then he, his heires, executors, adminiſtrators, and ſureties, ſhalbe charged with the whole firſt fruits. 1.Eliz.4. The rate how by death or euiction the incūbent ſhall be diſcharged of the firſt fruits, or part therof.

28 Euery Archbiſhop, Biſhop, Archdeacon, Deacon, Prebendary, Parſon, Vicar, and other, hauing any benefice or promotion ſpiritual, in England, or Wales, ſhall yearely pay to the King, his heires and ſucceſſors, at the feaſt of the Natiuitie of our Lord, one yearely rent or pention, amounting to the value of the tenth part of all the reuenues, rents, farmes, tithes, offerings, and emoluments, and all other profits, aſwell ſpirituall as temporall, belonging to any of the ſaid dignities or promotions (which tenth euery of them ſhall be charged to pay in the proper Dioces where Tenthes.

The Biſhops Collectors of tenths.

where they be, whereſoeuer their poſſeſſions & profits do lie) and which tenth euery archbiſhop & biſhop is charged to leuie, collect, & receiue within his proper Dioces, as well in places exempt, as not exempt, & they, their executors, & adminiſtrators, & the poſſeſſions of their churches, ſhall ſtand charged for the paiment of ſuch ſums as they ſhal collect. And when any ſea is void, then the deane & chapter of the cathedrall church where &c. their executors, adminiſtrators, & poſſeſſions ſhal be charged for the execution of this act, within the ſaid dioces. But this act doth not charge any

Hoſpitall, Schools.

hoſpitall founded & vſed, & the poſſeſſions thereof imploied to & for the reliefe of the poore, or any ſchole, or the poſſeſſions of thē with the paiment of any tenths, or firſt fruits. 26. H. 8. 3. 1. El. 4. 34. H. 8. 17. S. 32. H. 8. 47. The biſhop of Norwich ſhall collect the tenth within his Dioces.

The penaltie for default of paiment of the tenths.

29 If any ſumme of mony being once due, by any Incumbent, of any dignity, benefice, or promotion ſpirituall, charged to the paiment of the ſaid tenthes, be reaſonably demaunded after the feaſt of the Natiuitie of our Lord God, at his dignitie or church, by the archbiſhop, biſhop, or ſuch as ſhall be charged with the collection of any part of the ſaid penſion, or by any of their miniſters, ſeruants, or officers, & the ſaid Incumbent doth not content & pay the ſame vnto the ſaid archbiſhop, biſhop, or other miniſters, euery yeare yearely at the requeſt therof, or elſe within xl. daies after at the furtheſt: Thē euery Incumbent making ſuch default, after the default certified into the Kings Exchequer in writing, vnder the ſeales of the archbiſhop, biſhop, or ſuch as be charged with the collection of the ſaid tenth, ſhall be adiudged depriued (ipſo facto) of that dignity or benefice only, whereof ſuch certificat ſhalbe made. 26. H. 8. 3. 2. Ed. 6. 20. And the ſaid archbiſhop or biſhop making ſuch certificat (before or at the laſt day of May. 7. Ed. 6. 4.) ſhall be diſcharged againſt the King, for ſuch ſumme of mony as the ſaid Incumbent ſhould haue paid. 26. H. 8. 3. And alſo the ſaid archbiſhops, biſhops, and any of their deputies, & other accomptants authorized to accompt for them, vpon their accompts of and for the ſaid yerely tenth, ſhall be diſcharged vpon their oathes, of payment of ſuch ſummes of money of the ſaid annuall rent or tenth as they cannot lawfully leuie. 32. H. 8. 22. S. Exchequer 9.

The fruits taken in the vacation reſtored to the next Incumbent.

30 If any Biſhop, Archdeacon, Ordinarie, or other perſon to his vſe, do receiue or take the fruits, tithes, oblations, commodities, reuenues, rents, profits, or caſualties, cōming, or growing, or belonging to any Archdeaconrie, Deanry, Prebend, Parſonage, Vicarage, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, benefice, dignity, or office, during the vacation of the ſame, & vpon reaſonable requeſt made, do not reſtore & pay the ſame to the nert Incumbent, being lawfully inſtituted, inducted, or admitted to ſuch Archdeaconry, Parſonage, or Promotion, or doth let or interrupt the ſaid Incumbent to haue the ſame: Then he ſhall forf. the treble value of ſo much as he ſhall haue receiued of the ſaid fruits, or hath let or interrupted the Incumbent to receiue & take of the ſaid fruits, tithes, &c. to the K. and ỳ Incumbent &c. to be recouered by A. I. &c. wherein no W. E. P. &c. For euery perſon preſented, promoted, admitted, inſtituted, or inducted, to any promotion ſpirituall,

The Incumbents benefice & charge ſhall begin during the vacation.

and his executors ſhall haue the tithes, fruits, oblations, and all other whatſoeuer reuenues, caſualties, and profits, certaine and vncertaine, belonging to the ſaid promotion, growing, riſing, or comming, during the vacation of the ſame promotion (ſauing that if the firſt Incumbent haue ſowne any part of his glebe lands, he may declare his Teſtament of the profit of the Corne growing vpon the ſame.) And alſo the Biſhop, Archdeacon, Ordinarie, or their Miniſters, may retaine in their cuſtodie ſo much of their Tithes, fruits, & other commodities, as ſhal amount to pay ſuch perſon as hath ſerued the Cure during the vacation, his reaſonable Stipend, and alſo for the gathering & leuying of the tithes, fruits, & profits, riſing and growing during the vacation. If the fruits of the vacation of ſuch ſpirituall promo-

tion

tion be not ſufficient to pay the Curates ſtipend & wages for ſeruing the Cure the vacation time, then the ſame ſhall be borne & paied by the nert Incumbent within xiij. daies after he hath the poſſeſſion of the ſaid ſpirituall promotion. And alſo the yeare in which the firſt fruits ſhalbe paid to the King, ſhal begin, and be accompted immediatly after the auoidance or vacation of ſuch benefice or ſpiritual promotion. 28. H. 8. 11.

31 An vnion or conſolidation of two churches in one, or of a church and a chappell in one, the one of them not being aboue the yearely value of vj. l. as it is valued at to the K. in his Exchequer, and not diſtant from the other aboue one Mile in any place within this Realme of England, may be had or made by the aſſent of the Ordinarie & Ordinaries of the Dioces where ſuch churches and chappels ſtand, & by the aſſents of the Incumbents of them, & of all ſuch as haue iuſt right, title, & intereſt to the patronages of the ſame, being then of full age. And ſuch vnions & conſolidations made of two churches in one, or of a church & chappell in one, ſhall be good & auaileable in the law to continue for euer vnited in one, in ſuch manner & forme, as by writing vnder the ſeale of ſuch Ordinaries, Incumbents, & Patrons it ſhall be declared: alwaies ſauing to the K. the Tenthes & firſt Fruits of all ſuch churches & chappels as ſhall be vnited in one, according to ſuch like rates as the ſame are now rated at in the Exchequer. 37. H. 8. 21. 1. Eliz. 4. *Union of tha Churches.*

32 But all vnions and conſolidations to be made of any church or chappell, within any citie or towne corporate within England, without the aſſent of the Mayors, Shirifes, and Comminaltie of the citie, or without the aſſent of ſuch bodies corporat of other Townes corporat, where ſuch churches, church or chappell ſhall be, by the names of their Corporations in writing vnder their common ſeale, ſhall be clearely void. 37. H. 8. 21. 1. Eliz. 4. For vnion of Churches in Yorke. S. 1. Ed. 6. 9. *Unions in corporate Townes.*

33 Prouided, that where the inhabitants of any ſuch poore Pariſh, or the more part of them, within one yeare nert after the vnion of the ſame Pariſh, by their writing ſufficient in the law, ſhall aſſure the Incumbent of the ſaid Pariſh for the yearely payment of ſo much money, as with the ſumme that the ſaid Pariſh is valued at in the Exchequer ſhall amount to eight pounds, to be paied yearely by the ſaid inhabitants to the ſaid Incumbent and his ſucceſſors, then all ſuch vnions and conſolidations to be made of any ſuch poore Pariſh ſhal be void. But this prouiſo ſhall not extend to any vnion of any Church or Chappell made before the making of this ſtatute, 37. H. 8. 21. 1. El. 4. Anno 15. R. 2. 6. & 4. H. 4. 12. It was ordained, that in euery Licence which ſhould be made out of the Chauncery to appropriate any pariſh church, it ſhould be expreſſely contained, that the Dioceſan of the place where the appropriation of any ſuch Church ſhould be, ſhould appoint according to the value of the Church, a conuenient ſumme of money to be payed and diſtributed yearely of the fruits and profites of the ſame Church, to the poore Pariſhioners of the ſame pariſh in aid and maintenance of their liuings. And that there ſhould be alſo a Vicar ordained by the Ordinarie, which ſhould be well & ſufficiently endowed, ſo that he might doe diuine ſeruice, inſtruct the people, and kepe hoſpitalitie there. *The vnion auoided vpon a competent liuing aſſured.* *Appropriation.* *A Vicar.*

34 For as much as the Churchyard is the ſoyle of the Church, & whatſoeuer is planted belongeth to the ſoile, it muſt needs follow, that thoſe trees which be growing in the Churchyard are to be numbred amongſt the goods of the Church, the which lay men haue no liberty to diſpoſe: But becauſe thoſe Trees be planted to defend the force of the wind from hurting the Churches, the Parſons of Churches ſhall not preſume to cut them downe vnaduiſedly, but when the Chauncell of the Church hath need of neceſſarie reparations: Neither ſhall they be conuerted to any other vſe, except the bodie of the Church doth neede like repaire, in which caſe the Par- *In what caſes trees may be cut downe in Churchyards.*

Parſons of their charity ſhal do wel to reliue the parishioners with the ſame trées. 35. Ed. 1. Ne Rectores proſternant arbores in Cemiterio. This is not aptly to be termed a ſtatute, but rather a requeſt, counſel, or aduertiſement of K. E. 1. Ideo Quære for the validitie thereof.

Recouery and conueiance in a temporall court of a ſpirituall liuing.

35 S. Tithes 23. In all caſes where any perſon hauing eſtate of inheritance, freehold, terme, or intereſt in any parſonage, vicarage, or other Eccleſiaſticall profit made temporall, ſhalbe wrongfully put out of the ſame, he may haue his remedy in a temporall court by originall writ out of the Chancery: And alſo writs of couenãt, and other writs for fines to be leuied of Parſonages, Vicarages, &c. ſhalbe ſued out of the Chancery, and iudgements giuen and fines leuied of the ſame be good & effectuall in law.

Taking reward for his voice in electing a fellow, ſcholler, &c.

36 If any perſon or perſons, bodies politique or corporat, which haue election, preſentation, or nomination of any Fellow, Scholler, or any other perſon, to haue rome or place in any Churches collegiat, Colledges, Schooles, Hoſpitals, Hals, or Societies, ſhall haue, receiue, or take any money, fee, reward, or any other profit directly or indirectly, or ſhall take any promiſe, agreement, couenant, bond, or other aſſurance, to receiue or haue any money, fee, reward, or any other profit directly or indirectly, either to him or themſelues, or to any other of their, or any of their friends for his or their voice or voices, aſſent or aſſents, or conſents, in electing, chuſing, preſenting, or nominating any officer, fellow, ſcholler, or other perſon to haue any rome or place in any the ſaid Churches, Colledges, Hals, Schooles, Hoſpitals or Societies, Then & from thenceforth, the place, rome or office, which ſuch perſon ſo offending, ſhall then haue in any the ſaid Churches, Colledges, Schooles, Hals, Hoſpitals, or Societies, ſhalbe void. And thẽ as wel the Maiſter heires & ſucceſſors, & euery other perſon & perſons, or their heires or ſucceſſors to whom the preſentation, donation, gift, election, or diſpoſition, ſhall of right belong or appertaine of any ſuch of the ſaid romes or places of the ſaid perſon offẽding as aforeſaid, ſhal or may at their pleaſure, elect, preſent, nominate, place, or appoint any other perſon or perſons in the rome, office, or place of ſuch perſon or perſons ſo offending, as if the ſaid perſon or perſons ſo offending then were naturally dead. 31. El. 6.

Giuing or taking of money for reſigning a place.

37 If any Fellow, Officer, or Scholler of any the ſaid Churches, Colledges, Schooles, Hals, Hoſpitals, or Societies, or other perſons hauing rome or place in any of the ſame, ſhall at any time hereafter, directly or indirectly, take or receiue, or by any way, deuice, or meanes, contract or agree to haue or receiue any money, reward, or profit whatſoeuer, for the leauing or reſigning vp of the ſame his rome or place for any other to be placed in the ſame: then euery perſon ſo taking or contracting, or agreeing to take or haue any thing for the ſame, ſhal forfeit double the ſumme of money or value of the thing ſo receiued & taken, or agreed to be receiued or taken. And euery perſon by whom or for whom any money, gift, or reward, as aforeſaid, ſhalbe giuen or agreed to be paid, ſhalbe vncapable of that place or rome for ỹ time or turne, & ſhall not be, nor had, nor taken to be a lawful Fellow, Scholler, or Officer of any the Churches, Colledges, Hals, Hoſpitals, Schooles, or Societies, or to haue ſuch rome or place there: But they to whom it ſhall appertaine at any time thereafter, ſhall and may elect, chuſe, preſent, and nominate any other perſon fit to be elected, preſented, or nominated into the ſaid rome or Fellowſhip, as if the ſaid perſon, by, or for whom any ſuch money, gift, or reward, ſhalbe giuen or agreed to be payd, were dead, or had reſigned and left the ſame. 31. El. 6.

At euery election this ſtatute & the ſtatutes of the houſe ſhalbe read.

38 At the time of euery election, preſentation, or nomination of Fellowes, Schollers, Officers, and other perſons to haue place in any of the ſaid Churches, &c. as well this preſent Act, as the orders and ſtatutes of the ſame places, concerning ſuch election, preſentation, or nomination to be had, ſhall then and there be publickely read, vpon paine that euery perſon in whom default thereof ſhall be,

ſhall

ſhall forfeit vl. L. The one moitie whereof ſhalbe to him or them that will ſue for the ſame, the other moity to the vſe of the ſaid church, colledge, hall, hoſpitall, ſchoole, or ſociety where ſuch offence ſhalbe committed, to be recouered in any her M. Courts of Record, by any perſon or perſons, bodies politique & corporat, that wil ſue for the ſame by A. B. P. wherein no W. E. P. &c. 31. El. 6.

39 If any perſon or perſons, bodies politike or corporat, ſhall or do for any ſum of money, reward, gift, profit, or benefit, directly or indirectly, or for, or by reaſon of any promiſe, agreement, graunt, bond, couenant, or other aſſurance, of, or for any ſumms of money, reward, gift, profit, or benefit whatſoeuer, directly or indirectly, preſent or collate any perſon to any benefice with cure of Soules, dignitie, prebend or liuing Eccleſiaſticall, or giue or beſtowe the ſame, for or in reſpect of any ſuch corrupt cauſe or conſideration, then euery ſuch preſentation, collation, gift, and beſtowing, and euery admiſſion, inſtitution, inueſture, and induction thereupon, ſhalbe vtterly void, fruſtrate, and of none effect in law. And it ſhall & may be lawfull, to and for the M. her heires & ſucceſſors, to preſent, collate vnto, or giue, or beſtow euery ſuch benefice, dignitie, prebend, and liuing Eccleſiaſticall for that one time or turne onely. And all and euery perſon or perſons, bodyes politike and corporat, that from henceforth ſhall giue or take any ſuch ſumme of money, reward, gift, or benefit, directly or indirectly, or that ſhall take or make any ſuch promiſe, grant, bond, couenant, or other aſſurance, ſhall forfeit the double value of one years profit of euery ſuch benefice, dignitie, prebend, & liuing Eccleſiaſticall to the M. and I. to be rec. by A. B. I. wherein no W. P. E. &c. And the perſon ſo corruptly taking, procuring, ſeeking, or accepting any ſuch benefice, dignity, prebend, or liuing, ſhal thereupon & from thenceforth be adiudged a diſabled perſon in law, to haue or inioy the ſame benefice, dignity, prebend, or liuing eccleſiaſtical, 31. El. 6. *Preſenting or collating to a Benefice for reward.*

40 If any perſon ſhall for any ſumme of money, reward, gift, profit, or commoditie whatſoeuer, directly or indirectly (other then for vſuall and lawfull fees) or for or by reaſon of any promiſe, agreement, grant, couenant, bond, or other aſſurance, of or for any ſumme of money, reward, gift, profit, or benefit whatſoeuer, directly or indirectly, admit, inſtitute, inſtall, induct, inueſt, or place any perſon in, or to any benefice with cure of Soules, dignitie, prebend, or other liuing Eccleſiaſticall: then euery ſuch perſon ſo offending, ſhall forfait the double value of one years profit of euery ſuch benefice, dignitie, prebend, and liuing Eccleſiaſticall to the M. & I. to be rec. by A. B. I. wherein no W. E. P. &c. And thereupon immediatly from and after the inueſting, inſtallation, or induction thereof had, the ſame benefice, dignitie, prebend, and liuing Eccleſiaſticall be eſtſoones meerely void: And the Patron or perſon to whom the Aduowſon, gift, preſentation, or collation ſhall by law appertaine, ſhall & may by vertue of this Act, preſent or collate vnto, giue and diſpoſe of the ſame benefice, dignitie, prebend, or liuing eccleſiaſticall, in ſuch ſort to all intents and purpoſes, as if the partie ſo admitted, inſtituted, inſtalled, inueſted, inducted, or placed, had been, or were naturally dead. But no title to conferre or preſent by Lapſe, ſhall accrue vpon any voydance mentioned in this Act, but after ſixe moneths nert after notice giuen of ſuch voydance by the Ordinarie to the Patron, 31. Eliz. 6. *Admitting to a Benefice for reward.* *Lapſe.*

41 If any Incumbent of any benefice with cure of Soules, do or ſhall corruptly reſigne or exchange ỳ ſame, or corruptly take, for, or in reſpect of the reſigning or exchanging of the ſame directly or indirectly, any penſion, ſumme of money, or benefit whatſoeuer, then aſwell the giuer as the taker of any ſuch penſion, ſumme of money, or other benefit corruptly, ſhal loſe double the value of the ſumme ſo giuen, taken or had to the M. & I. to the rec. by A. B. I. wherin no W. E. P. &c. 31. Eliz. 6. *Corrupt reſigning or exchanging of a Benefice.*

42 This act ſhall not extend to take away or reſtraine any puniſhment, paine, or penaltie, limitted, preſcribed, or inflicted by the Lawes Eccleſiaſticall, for any the *Eccleſiaſticall penalties not reſtrained by this Act.*

the offences before in this act mentioned, but the ſame ſhall remaine in force, & may be put in due execution, as it might be before the making of this act: this act &c. notwithſtanding. 31. El. 6.

Rewards for making of miniſters, or giuing licence to preach.

43 If any perſon or perſons whatſoeuer, ſhall or do receiue or take any money, fee, or reward, or other profit directly or indirectly, or ſhall take any promiſe, agreement, couenant, bond, or other aſſurance, to receiue or haue any mony, fee, reward, or any other profit directly or indirectly, either to him or themſelues, or to any other of their, or any of their friends (all ordinary and lawfull fees only excepted) for, or to procure the ordaining or making of any Miniſter or Miniſters, or giuing any Orders, or licence or licences to preach: then euery perſon & perſons ſo offending, ſhall for euery ſuch offence forfeit. x. l. and the party ſo corruptly made Miniſter, or taking Orders, x. l. to the K. & I. to be rec. by A. B. I. wherein no W. E. P. &c. And if at any time within vij. yeares next after ſuch corrupt entring into the Miniſterie, or receiuing of Orders, he ſhal accept or take any benefice, liuing, or promotion eccleſiaſticall, then immediatly from & after ỹ induction, inueſting, or inſtallation thereof, or thereinto had, the ſame benefice, liuing, & promotion Eccleſiaſticall ſhalbe eſtſoones meerely void. And the patron or parſon to whom the aduowſon, gift, preſentation, or collation ſhal by law appertaine, ſhall & may by vertue of this act, preſent, or collate vnto, giue & diſpoſe of ỹ ſame benefice, liuing, or promotion eccleſiaſticall, in ſuch ſort to all intẽts & purpoſes, as if the party ſo inducted, inueſted, or inſtalled, had bin or were naturally dead: any law, ordinance, qualification, or diſpenſation to the contrary notwithſtanding. 31. El. 6.

Doctors of the law married.

44 All & ſingular perſons, as well lay, as thoſe that now be, or hereafter ſhal be maried, being Doctors of the Ciuil Law, lawfully creat & made in any Vniuerſity, which ſhalbe made, ordained, conſtituted, & deputed to be any Chancelor, Vicar generall, officiall, ſcribe, or regiſter, by the K. his heires or ſucceſſors, or by any archbiſhop, biſhop, archdeacon, or other perſon whatſoeuer hauing authority vnder ỹ K. his heires or ſucceſſors, to make any chancelor, vicar generall, cõmiſſarie, official, or regiſter, may lawfully execute & exerciſe all manner of iuriſdiction, cõmonly called eccleſiaſticall iuriſdiction, & all cenſures & coertions appertaining or in any wiſe belonging vnto the ſame, albeit ſuch perſon or perſons be lay, maried or vnmaried, ſo that they be doctors of the ciuill law, as is afore ſaid: any law, conſtitution, &c. notwithſtanding. 37. H. 8. 17. 1. El. 1.

Remedy for the ſucceſſors of Prelates.

45 If any wrongs or extortions be done to prelates of the church, & they proſecuting their ſuits for ſuch extortions be preuented by death before Judgement giuen therein, their ſucceſſors ſhall haue actions to demaund the goods of their church out of the hands of ſuch treſpaſſors. And the ſucceſſors ſhal haue like action for ſuch things as were lately withdrawne by ſuch violence frõ their houſe & church before the death of their predeceſſors, though it ſo be that their predeceſſors did not purſue their right during their liues. And if any intrude into the lands or tenemẽts of ſuch religious perſons in time of vacation, of which lands their predeceſſors died ſeiſed, as in the right of their church, the ſucceſſors ſhall haue a writ to recouer their ſeiſin: and damages ſhall be awarded them as in aſſiſe of Nouel diſſeiſin is accuſtomed to be. Marlb. 52. H. 3. 28.

A writ of Intruſion.

Iuris vtrum.

46 Parſons, Vicars, Gardeins of chappels, & Prouoſts, ſhall haue their writs of Iuris vtrum, of lands, tenemẽts, rents, & poſſeſſions, annered & giuen perpetually in almes to vicarages or chappels, & recouer by other writs in their caſe, as far forth as Parſons of churches or Prebends. 14. Ed. 3. 17.

47 Eccleſiaſtical Judges, nor other, ſhalbe bound, compelled by dureſſe, nor indicted, or impriſoned, for ſuites in any ſpirituall courts for tithes, or other duties: & if any procure ſuch indictments, or themſelues be ſuch indictors, after the indictees be acquited, the procurors ſhall incurre the penaltie of the ſtatute of Weſtm. 2. 12.

ordai-

ordained againſt thoſe that procure falſe appeales. And the Juſtices before whom ſuch Indictées ſhalbe acquited, ſhall inquire thereof, and puniſh it. 1. R. 2. 13.

1 Eccleſiaſticall perſons ſhall not be moleſted, which are in preaching, or doing diuine ſeruice. S. Arreſt. 1. Preachers 1. — Preachers.

2 An Incumbent may declare his will of corne ſowen vpon his glebe land. S. Teſtaments 21. — Corne ſowen.

3 What Eccleſiaſticall perſons ſhall forfeit, which do not ſay Common prayer, or miniſter the Sacraments as they ought. S. Sacraments 2. 10. — Common Prayer.

4 Which Eccleſiaſticall perſons ſhall take the othe for the Kings ſupreme gouernment &c. S. Crowne 5. 6. 8. 10. — Othe.

5 The goods of an Eccleſiaſticall perſon ſhall not be taken by any Purueyors. S. Purueyors 2. — Purueiors.

6 No Alien ſhall take a benefice within England, without licence. S. Præmunire 2. 3. 4. — Alien.

7 Eccleſiaſticall perſons may be puniſhed by their Ordinaries for incontinencie. S. Incontinencie 1. — Incõtinencie.

8 The Clergie ſhall make no conſtitutions without the kings aſſent. S. Conuocation 2. — Conſtitutiõs.

9 What an Eccleſiaſticall perſon ſhall forf. which giueth licence to eate fleſh to him that hath no need. S. Fiſh dayes 4. — Licence.

10 How many horſes euery Eccleſiaſticall perſon is chargeable to keep. S. Horſes 10. 11. — Horſes.

11 How many ſheepe Spirituall perſons may keepe. S. Sheepe 10. — Sheepe.

12 Forcible entry, or forcible detaining of Eccleſiaſticall liuings. S. Force &c. 2. — Force.

13 Concerning remedie for dilapidations made by any Eccleſiaſtical perſons. S. Dilapidations 1. 2. — Dilapidatiõs.

14 In what fees of the Church a diſtreſſe may be taken. S. Diſtreſſe 3. — Diſtreſſe.

15 For freſh ſuit by writ of Entry, &c. after the diſſeiſin by Prelats. S. Age 1. — Diſſeiſor.

16 Where title to preſent by Lapſe ſhall not accrue to the Ordinarie, but after ſix moneths after notice. S. Lapſe 1. — Lapſe.

17 Where it is Mortmain for any Spirituall perſon to enter into lands and make a Churchyard or buriall place thereof. S. Mortmaine 3. — Mortmaine.

18 What aſſurances of lands may be made to Churches, Chappels, Churchwardens &c. in what ſort, and for how long time. S. Mortmaine 6. 7. — Aſſurance to Churches.

19 How much Eccleſiaſticall perſons, and their farmors ſhall take for Mortuaries, and of whom. S. Mortuaries. — Mortuaries.

20 The remedie where a diſturber preſenteth to a Church during the vacation. S. Aduowſon 1. — Vacation.

21 A confirmation of Eccleſiaſticall liuings before aſſured to K. H. 8. and K. E. 6. S. Monaſteries 29. 32.

22 What remedie a Parſon of a Church ſhall haue to recouer land or common of paſture, whereof he or his predeceſſor was deforced. S. Quod permittat 1.

23 The ſucceſſors remedie for a Tenth which he ſhall bee charged to pay for his predeceſſors. S. 27. H. 8. 8.

Egyptians.

IF any perſon doth willingly tranſport into England or Wales, any perſons commonly called Egyptians, or doth ſue for any letter, licence, or paſport for any of the ſaid Egyptians, to continue in Englãd, or Wales, contrarie to this ſtatute, he ſhal forf. xl. £. to the K. and J. to be recouered by A. J. &c. wherein no W. E. P. &c. And alſo ſuch letter, licence, and paſport ſhalbe void. 1. & 2. P. & M. 4. — Bringing ouer Egiptians, or ſuing for licence for them.

It is felonie for Egiptians to continue within this realme a moneth.

2 If any perſons called Egyptians, being aboue the age of xiiij. yeares, which ſhall be tranſported into England or Wales, doe continue within the ſame by the ſpace of one moneth, or any perſons beeing of the age of xiiij. yeares, ſhall bee ſeene in any companie of the Vagabonds, calling themſelues Egyptians, or counterfeiting, tranſforming, or diſguiſing themſelues by their apparell, ſpæch, or other behauiour, like vnto Egyptians, and ſo ſhall continue, either at one or ſeueral times, by the ſpace of a moneth, they ſhall bee adiudged Felons. 1.&2.P.& M.4. 5.Eliz.20.

1 An Egyptian ſhall not haue his Clergie. S.Clergie 11.

2 The triall vpon arraignment of Egyptians, ſhall not bee per Medietatem linguæ. S.Iurors 30.

Entre.

A diſſeiſor dying ſeiſed taketh away no title of Entrie

THe dying ſeiſed of any Diſſeiſor, of, or in any manors, lands, tenements, or other hereditaments, hauing no right or title therein, the which with ſtrength, and without title entred into the ſame, and wrongfully diſſeiſed the rightfull owners and poſſeſſors thereof, ſhall not be taken any ſuch diſcent in Law, for to toll or take away the Entre of any ſuch perſon or perſons, or their heires, which at the time of the ſame diſcent had good and lawfull title of Entre into the ſaid manors, lands, tenements, or hereditaments, Except that ſuch diſſeiſor hath had the peaceable poſſeſſion of ſuch lands, &c. whereof he ſhall ſo dye ſeiſed, by the ſpace of fiue yeres next after the diſſeiſin therein by him committed without Entre or continuall claime, by, or of ſuch perſon or perſons, as haue lawfull title thereunto. 32.H.8. 33. Vide Dier fol.219.

Writs of Entre in the poſt.

2 If thoſe alienations whereof a writ of Entre had wont to be granted, be paſt ſo many degrees, whereby that writ cannot be made according to the forme before time vſed, the plaintifes ſhall haue a writ to recouer their ſeiſin, without making mention of any degrees, to whoſe hands ſoeuer by ſuch alienations the thing ſhall come. Marlb. 52.H.3.29.

1 Where a writ of Entre is maintenable for the diſſeiſee, or his heire, againſt the diſſeiſor, or his heire. S.Age 1.

Error.

He in the reuerſion ſhall haue a writ of Error & Attaint vpon a iudgement giuen againſt the particular tenant.

IF the tenant for terme of life, tenant in dower, tenant by curteſie of England, or tenant in taile after poſſibilitie of iſſue extinct, be impleaded, and plead to an Enqueſt, and loſe by verdict, default, or other maner, he to whom the reuerſion of the tenements ſo loſt pertaineth at the time of ſuch iudgement giuen, his heires and ſucceſſors ſhall haue an action by writ of Attaint, to attaint the ſame Iurie, if hee will alligne the ſame othe to be falſe, and alſo by writ of Error, if Error be found in the record of ſuch iudgement, aſwell in the life of ſuch tenants that ſo do loſe, as after their death. And if ſuch iudgement erronious be reuerſed, or ſuch falſe othe bee found, the tenant that did loſe by the firſt iudgement (if he be liuing) ſhall be reſtored to his poſſeſſion of the tenement ſo loſt, with the iſſues in the meane time, and the partie purſuing, to the arrerages of the rent, if any bee due of the ſame tenements. And if ſuch tenant be dead at the time of the iudgement giuen vpon ſuch writs of Attaint, and of Error, reſtitution of the ſaid tenements ſhalbe made to the partie purſuing, with the iſſues, after the death of the ſaid tenant, together with the arrerages of the rent, if any to him were due in the life of the tenant. But although the tenant which ſo did loſe by iudgement be liuing, and the partie purſuing will alleage that the ſame tenant was of couin, and of the aſſent of the demandant

dant which recouered, to loſe ſuch tenements, yet reſtitution ſhall bee made to the ſame partie purſuing, with the iſſues & arrerages: Sauing to ſuch tenant his action of Scire fac' out of the ſame iudgement ſo reuerſed, or by writ of Attaint, if he wil trauerſe the couin and aſſent, and not otherwiſe. 9. R. 2. 3. S. Recoueries 5.

Error in the Exchequer.

2 In all caſes touching the king, or other perſons, where a man complaineth of Error made in proces in the Exchequer, the Chancelor and Treaſorer ſhall cauſe to come before them in any chamber of Counſell nigh the Exchequer, the record of the proces out of the Exchequer, and taking to them the Juſtices, and ſuch other Sages as they ſhall thinke meet, they ſhall call before them the Barons of the Exchequer, to heare their Informations, & the cauſes of their Judgements, and ſhall duely examine the matter. And if any Error be found, they ſhall correct it, and amend the roules, and after ſend them backe into the Exchequer therof to make execution, as the cauſe requireth. 31. Ed. 3. 12. The not comming of the Lord Chancelor, and the Lord Treaſorer, or either of them at the day of adiournement in any ſuch ſuit of Error, depending by vertue of the ſaid former eſtatute, ſhall not be any diſcontinuance of any ſuch writ of Error. But if both the chiefe Juſtices of either Bench, or any one of the ſaid great Officers, the Lord Chancelor, or Lord Treaſorer ſhall come to the Exchequer Chamber, and there bee preſent at the day of adiournement in ſuch ſuit of Error, it ſhalbe no diſcontinuance, but the ſuit ſhall proceed in law to all intents & purpoſes, as if the L. Chauncelor, & L. Treaſorer had comen & bèen preſent at the day and place of adiournment. Prouided alwayes, that no Iudgement ſhalbe giuen in any ſuch ſuit or writ of Error, vnleſſe both the L. Chancelor and L. Treaſorer ſhalbe preſent thereat. 31. El. 1.

Iudgements giuen in the K. Bench examined.

3 Where any Iudgement ſhall at any time hereafter be giuen in the Court of the Kings Bench, in any ſuit, or Action of debt, Detinue, Couenant, Accompt, Action vpon the caſe, Ejectione firme, or Treſpas, firſt commenced, or to be firſt commenced there (other then ſuch onely where the Quæne ſhall be partie) the partie plaintife, or defendant, againſt whom any ſuch Iudgement ſhalbe giuen, may at his election ſue forth out of the Court of Chancerie, a ſpecial writ of Error to be deuiſed in the ſaid Court of Chancerie, directed to the chiefe Juſt. of the ſaid Court of the K. Bench for the time being, commanding him to cauſe the ſaid Record, and all things concerning the ſaid Iudgement, to be brought before the Juſt. of the Common Bench, and the Barons of the Exchequer, into the Exchequer chamber, there to be examined by the ſaid Juſtices of the Common bench, and Barons aforeſaid, which ſaid Juſt. of the Common bench, and ſuch Barons of the Exchequer as are of the degrèe of the Coyfe, or fir of them at the leaſt, by vertue of this preſent Act, ſhall thereupon haue full power and authority, to examine all ſuch Errors, as ſhall be aſſigned or found, in, or vpon any ſuch Iudgement, and thereupon to reuerſe or affirme the ſaid Iudgement, as the law ſhall require, other then for Errors to bè aſſigned or found, for, or concerning the Juriſdiction of the ſaid Court of K. bench, or for any want of forme in any writ, retorne, plaint, bill, declaration, or other pleading, proces, verdict, or procèding whatſoeuer: And after that the ſaid Iudgement ſhall bèe reuerſed or affirmed, the ſaid Record and all things concerning the ſame, ſhall bèe remoued and brought back into the ſaid Court of the K. Bench, that ſuch further procèding may bèe thereupon, as well for Execution, as otherwiſe, as ſhall appertaine. 27. El. 8.

Erronious iudgment examined in parliament.

4 And ſuch reuerſall or affirmation of any ſuch former Iudgement, ſhal not be ſo finall, bue that the partie who findeth him grèued therewith, ſhall and may ſue in the High Court of Parliament, for the further, and due examination of the ſaid Iudgement, in ſuch ſort as is now vſed vpon Erronious Iudgements in the ſayd Court of K. Bench. 27. El. 8.

5 If the full number of the Juſtices and Barons authorized by the ſaid Act (of

Three Iuſtices may receiue writs, and award proces.

27. El.) come not at the day or time of returne or continuance of any ſuch Writ of Error, it ſhalbe lawfull for any three of the ſaid Iuſtices and Barons at euerie of the ſaid dayes and times, to receiue Writs of Error, to award proces thereupon, to make and prefixe dayes from time to time, of & for the continuance of all ſuch writs of Error as ſhall be there returned, certified, or depending. And the ſame ſhall be to theſe reſpects as good and auailable, as if al the Iuſtices and Barons authorized by the ſame Act were preſent. And the Iuſtices and Barons authorized by the ſaid ſtatute, may after that lawfully proceed in all thoſe caſes in ſuch ſort, to all entents, as they might do in other caſes mentioned in the ſaid ſtatute: any not comming of any the ſaid Iuſtices or Barons notwithſtanding. Prouided neuertheleſſe, that no iudgement ſhall be giuen in any ſuch Suit or Error, vnleſſe it bee by ſuch full number of the ſaid Iuſtices and Barons, as are in that behalfe authorized and appointed by the ſaid Act. 31. Eliz. 1.

No iudgemẽt giuen but by ſix Iuſtices at the leaſt.

Error ſued in Parliament.

6 But the partie plaintife or defendant againſt whom any ſuch iudgement hath beene heretofore, or hereafter ſhall be giuen in the ſaid Court of the Kings Bench, may at his election ſue in the High Court of Parliament for the reuerſall of any ſuch iudgement, as heretofore hath beene vſuall or accuſtomed: any thing in this Statute, or in the ſaid former Act to the contrarie thereof notwithſtanding. 31. Eliz. 1.

A iudgement ſhall continue, vntill it be reuerſed.

7 After iudgement giuen in the Kings Courts, the parties and their heirs ſhal be thereof in peace, vntill the iudgement be vndone by Attaint or Error, if there bee Error, as hath beene vſed by the Lawes in the time of the Kings Progenitors. 4. H. 4. 23.

1 A Writ of Error ſhalbe ſued in the Kings Bench of Erronious Iudgement giuen in the Marſhalſey. S. Marſhal 5.

2 Where the defendant in a writ of Error ſhall recouer his coſts and damages. S. Damages 5.

3 Iudgement giuen after Demurrer, ſhall not bee reuerſed by writ of Error, for imperfection in writ, pleading, &c. S. Demurrer 1.

4 Where, and for what cauſes a fine or recouerie may be reuerſed by writ of Error, and where not. S. Fines 20. 21. 30. 31.

5 Where erronious Iudgements giuen before the Iuſtices of the xij. Shires in Wales, ſhalbe redreſſed. S. Wales 24.

6 In what onely caſe execution ſhall be ſtaid by writ of Error. S. Execution 5.

Eſcape.

Eſcape of an Accomptant.

IF the Shirife or Gaoler do ſuffer any chamberlain, baylife, ſeruant, or other Receiuer to go at libertie, which is committed to priſon by the Auditors of his accompt, by the common writ of Replegiare, or otherwiſe, without his Maſters aſſent, and be thereof conuict, he ſhall anſwer to the Maſter of ſuch accomptant, the damages which he hath receiued by the ſaid accomptant, according as they may be proued by the countrey, and he therefore ſhall haue an action of debt, and if the gaoler be inſufficient, his ſuperior that committed the gaole vnto him, ſhall be anſwerable by the ſame writ. Weſt. 2. 13. Ed. 1. 11. S. Accomptant 2.

Leuying of money for Eſcapes.

2 If the Sherife or any other do take, or leuie any thing for the Eſcape of any Felon, before it be adiudged by the Iuſtices in Eire, hee ſhall reſtore to the partie, or him that paid it, as much as he receiued, and to the king as much. Weſt. 1. 3. E. 1. 4. For the Eſcape of Felons and Clerkes conuict ſhall be adiudged by the ſame Iuſtices and by their view leuied. 31. E. 3. 14.

3 If the Warden of the Fleet doe ſuffer any priſoner there being by iudgement at the ſuit of the partie to goe out of priſon by Baile, Painpriſe, or Baſton, without

without agreeing with the partie at whoſe ſuit he is there (except it be by the kings writ or commandement) he ſhall loſe his office. And if the ſaid Warden be attainted by due proces, the plaintife ſhall haue his recouerie againſt him by A. of debt, wherin no P. &c. 1. R. 2. 12. By the ſtatute of 7. H. 4. 4. the Wardens of the priſons of the Marſhalſey, Kings Bench, and other priſons in Cities, Boroughes, and Townes, are chargeable accordingly, if they let any priſoners condemned go at libertie.

A priſoner condemned goeth by bayle or baſton.

1 The towne ſhalbe amerced for the eſcape of a murderer. S. Murder 1.

2 How an eſcape of him which diſturbeth a Preacher in his Sermon, ſhall be inquired of &c. S. Preachers 3.

3 Iuſtices of peace haue authoritie to inquire of eſcapes of Felons. S. Iuſtices of Peace 19.

4 A Coroner ſhall inquire of the eſcape of a murderer. S. Coroners 13.

Eſchetor.

IF any perſon named, and certified into the Chancerie by the Lord Treaſorer to be Eſchetor, do not within one moneth next after his letters patents ſhall be offered vnto him, take vpon him the execution of the ſame office, or elſe within the time aforeſaid appeare in the Exchequer, & ſhew a reaſonable cauſe why he ought not ſo to do, he ſhall forfeit for euery ſuch default to the king xx. l. 33. H. 8. 22.

Within what time an Eſchetor appointed, ſhall take or refuſe the office.

2 An Eſchetor which ſhall ſit onely by vertue of his Office to inquire of the tenure, title, or value of any lands, tenements, or hereditaments, being of the yerely value of v. l. or aboue, and holden of the king, without the kings writ directed to him for the ſame, ſhall forf. v. l. for euery time that he ſhall ſit and make inquirie to the contrarie, &c. 33. H. 8. 22.

No office of lands to the value of v. l. virtute officij.

3 If any Eſchetor doth take aboue the ſumme of xv. ſ. for the finding of an Office of any lands, tenements, or hereditaments, not exceeding the cleare yerely value of v. l. viz. for the Eſchetors fee vj. ſ. viij. d. for the writing of ỹ Office iij. ſ. iiij. d. for the charges of the Iurie iij. ſ. and for the Officers that ſhall receiue the ſaid Office in any Court of Record v. ſ. he ſhall forfeit for euery time ſo offending v. l. to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 33. H. 8. 22.

The Eſchetors fees whē the land doth not exceed v. l.

4 If any Eſchetor, or Commiſſioner doth returne, or put into any of the kings Courts, any Inquiſitions, or Offices concerning lands, tenements, or hereditaments, not found nor preſented by the othes of xij. men, and indented, and by them ſealed, the ſaid Eſchetor or Commiſſioner ſhall forfeit for euery ſuch Office or Inquiſition ſo returned 100. l. to the partie or parties greeued by any ſuch Inquiſition or office. 1. H. 8. 8. 3, H. 8. 2.

Offices returned not found or not ſealed by the Iurie.

5 If an Eſchetor, or any other, by vertue of any commiſſion doth ſit to inquire of lands, tenements, or hereditaments, except he, or other to his vſe, hath lands, tenements, or hereditaments, of the yerely value of xl. marks, aboue all charges, hee ſhall forfeit xx. l. (without he be an Eſchetor in a citie or towne corporat, or made by ſome perſon hauing priuiledge therunto, and except Eſchetors of the Counties Palantine of Lancaſter and Cheſter) for any perſon being not ſufficient of freehold may refuſe to ſit vpon the ſame commiſſion, and vpon proces made againſt him out of the Exchequer ſhalbe diſcharged vpon his othe for non-ſufficiencie, without fine or fee. 1. H. 8. 8. 3. H. 8. 2.

Not ſufficient of freehold.

6 If any Eſchetor or Commiſſioner will denie any perſon to giue euidence openly in his preſence, to ſuch Enqueſts as ſhalbe taken before him for the finding of an Office, he ſhall forfeit xl. l. 1. H. 8. 8. 3. H. 8. 2.

Euerie man may giue euidence vpon an Office.

7 If any Eſchetor or Commiſſioner, or part of the Commiſſioners (after an Enqueſt before him ſworne to inquire of lands, &c. bee ready to giue their verdict,

The Eſchetor ſhal receiue an office, & deliuer the Counterpaine.

and offer to preſent the ſame) doe not receiue the ſame verdict without further delay, and alſo do not deliuer the Counterpaine of the Office or Inquiſition by the Jurie found indented and ſealed by himſelf, to the ſame Jurie, to the intent it may be deliuered, and reſt in the poſſeſſion of the firſt perſon of the ſaid Jurie, the Eſchetor or Commiſſioner which ſo offendeth, ſhall forfeit 100.l. to the partie grieued, to be recouered by A. of debt. And euerie of the Jurors ſworne which will not receiue the Counterpaine of the ſaid Office indented and ſealed by the Eſchetor or Commiſſioner, or ſhall not ſuffer the ſame to reſt in the poſſeſſion of the firſt man of the Jurie, ſhall forfeit xx.s. to the K. and J. to be recouered by A. of debt, wherein no W.E.P. &c. 1.H.8.8. 3.H.8.2.

How long one ſhall be Eſchetor.

8 If an Eſchetor do exerciſe his Office by reaſon of one patent ouer one whole yeare, or be made Eſchetor within three yeares after, then after the ſaid yere ended, his patent ſhall be void, except he be Eſchetor by patent or graunt in any Citie or Towne Corporat, or in the Duchie of Lancaſter or Cornewall, or in any Countie Palantine, or made by any perſon hauing authoritie by any priuiledge, preſcription, or grant to make Eſchetor. 1.H.8.8. 3.H.8.2. 14.Ed.3.8.

Within what time, & where an Eſchetor ſhall take his Enqueſt. Eſchetors fee.

9 If any Eſchetor doth not take his enqueſt of Office by vertue of a Diem clauſit extremum, or any other Writ, within the moneth next after the deliuerie of the ſaid writ vnto him (or if he do not take ſuch enqueſts in good Towns and open places. 3.H.8.2.) or if he doe take priuily or openly, by himſelfe or any other, aboue the ſumme of xl.s. for the execution of any writ in one Countie, he ſhall forfeit for euery offence xl.l. 23.H.6.17. S.34.Ed.3.13. 36.Ed.3.13. That if the Eſchetor do not take his Enqueſts in good Towns openly, and by honeſt men of good fame, and hauing ſufficient in the ſame Countie, and by Indenture betwixt the Eſchetor and the Jurors, the ſame Enqueſts ſhall be void, and the Eſchetor ſhal be two yeares impriſoned, and puniſhed at the kings pleaſure. But for the penalties

Quære.

Quære.

Within what time an Office ſhall be returned.

10 If an Eſchetor or Commiſſioner doth take any office before him, and doth not returne the ſame into the Chancerie, or Erchequer, within a moneth after the taking thereof, he ſhal forfeit xl.l. and alſo pay to the King ſo much as he is indammaged by not returning therof. 8.H.6.16. 18.H.6.7. But if the Clerke of the Petit bagge of the Chancerie, or his Deputie, or any other Officer there hauing authoritie to receiue any ſuch Office or Inquiſition, to whoſe hands any ſuch Office ſhall come, will not receiue the ſame, & put it on the files, to remain of record, within three dayes after it be receiued, or offered to him, the Clerke ſhall forfeit for euery default xl.l. and the Eſchetor or Commiſſioners ſhall be diſcharged of the foreſaid forfeiture of xl.l. 1.H.8.8. 3.H.8.2. S.Office 5.

Enqueſt returned by the Shirife.

11 If any Eſchetor or Commiſſioner doth take any Enqueſt of inquiry of any other perſons, but of ſuch as be returned and impanelled by the Shirife of the Countie where he is Eſchetor or Commiſſioner, hee ſhall forfeit xl.l. 8.H.6.16. 18.H.6.7.

Eſchetors Deputie.

12 No Eſchetor ſhall ſell or let to farme his office, nor ſhall make any deputie, but ſuch for whom he will anſwer at his perill. And the Eſchetor ſhall certifie the name of his Deputie or Deputies vnder his letters patents to the Treaſorer and Barons of the Erchequer, within twentie dayes after deputation made. And no Deputie ſhall take vpon him to occupie the ſaid office, except the Eſchetor hath lands, tenements, or rents, to the value of xx.l. vpon paine of forfeiture for euerie offence xl.l. to the K. and Informer, to be recouered by A. of debt, wherein no W. E.P. &c. 12.E.4.9. S.Iuſt. of Peace 87.

13 Euery Eſchetor hath authoritie to inquire by the othes of twelue lawfull men, of euerie offence done contrarie to the Statute prouided 7.Ed.6. to auoid the great prices and exceſſe of wines. And euery inquirie & preſentment taken by the

othes

othes of xij. men, ſhall be of ſuch force, as if it were taken in the Kings Bench. 7. Ed. 6. 5. S. Wines.

1 Aſſiſe lyeth againſt an Eſchetor, which by colour of his office diſſeiſeth any man. S. Aſſiſe 4.

2 An Eſchetor ſhall haue no fee, nor commit waſt in the lands of Wards. See Wards 23.

3 Eſchetors may inquire of counterfeiters of weights, and puniſh them. See Weights 13.

4 For the Eſchetors dutie concerning finding of Offices &c. S. Offices.

5 What Iurors ſhall be returned before Eſcheators or Commiſſioners. See Iurors 13.

6 Who ſhall be Eſcheators in the xij. Shires in Wales, Who ſhall name them, their office, dutie, &c. S. Wales 51.

7 A Patent of lands ſeized vpon an Enqueſt taken before an Eſcheator. See Patents 17.

Eſſoines.

IN Counties, Hundreds, Court Barons, or in other Courts, none ſhall néde to be ſworne to warrant his Eſſoine. Marlb. 52. H. 3. 19. *No Eſſoine by oath.*

2 Two Coperceners, or two that hold in common, ſhall not haue Eſſoine but at one day, no more than one ſole Tenant ſhould haue, ſo that they ſhal not fourch, but onely ſhall haue one Eſſoine. Weſtm 1. 3. Ed. 1. 42. And in like caſe it ſhall bæ where a man and his wife be impleaded in the Kings Court. Glouceſter. 6. Ed. 1. 10. *Fourcher by Eſſoine.*

3 After the Tenant in an Aſſiſe, Attaint, or Iuris vtrum, hath once appeared in the Court, he ſhall be no more Eſſoined, but ſhall make his Attourney to ſue for him if he will, and if not, the Aſſiſe or Jurie ſhal be taken through his default, Weſt. 1. 3. Ed. 1. 41. And the ſame lawe ſhall be obſerued of the demaundants in writs of Aſſiſe, Weſt. 2. 13. Ed. 1. 28. *After appearance no Eſſoyne.*

4 After a man hath put himſelfe vpon any Enqueſt, which hath, or muſt paſſe in ſuch manner of writs, viz. Dower vnde nihil habet, Aſſiſe of Darrein preſentment, Quare impedit, and other writs where Attachments doe lie, (Marlb. 52. H. 3. 12.) he ſhall haue but one Eſſoine, or one default: So that if he come not at the day giuen by the Eſſoine, or make default the ſecond day, then the Enqueſt ſhall be taken by his default, and according to the ſame Enqueſt they ſhall proceed in Judgement. And if ſuch Enqueſt ſhall be taken in the Countie before the Shirife or Coroners, it ſhall be returned to the kings Juſtices at a certaine day: and if the partie defendant come not at that day, then vpon his default another day ſhal be aſſigned vnto him by the Juſtices diſcretion. And the Shirife ſhall be commanded that he cauſe him to come to heare the iudgement if he will according to the Enqueſt, at which day if he come not, vpon his default they ſhall proceed to Judgement. In like manner it ſhall be done, if hee come not at the day giuen vnto him by his Eſſoine. Marlb. 52. H. 3. 13. After any hath put himſelfe to an Enqueſt, an Eſſoine ſhall bæ allowed vnto him at the next day: But at other daies following, the taking of the Enqueſt ſhall not be delaied by Eſſoine, whether he were eſſoined before or not. Neither ſhall any Eſſoyne be allowed after day giuen by Prece partium, in caſe where the parties conſent to come without Eſſoine, Weſt 2. 13. Ed. 1. 27. *But one Eſſoyne after iſſue ioyned.*

5 Eſſoine of Vltra mare ſhall not be allowed, if the demaundant doe challenge it, and be ready to auerre that he was in England the day that the Summons was made, and three wékes after, but it ſhall be adiourned in this forme, that if the demaundant be readie at a certaine day by the aduiſement of the Countrie, or otherwiſe, *Eſſoine vltra mare.*

wiſe, as the Kings Court will award, to proue that the tenant was within ỹ foure leas the day that he was ſummoned, and three weekes after, ſo that he might bee reaſonably warned by the ſummons, the Eſſoine ſhall be turned into a default, and this is onely to be vnderſtood before Iuſtices. Weſt. 1. 3. Ed. 1. 43.

Eſſoine de Malo lecti.

6 In the Circuit of the Iuſtices an Eſſoine de Malo lecti ſhall not be allowed for lands in the ſame Countie, vnleſſe he that cauſed himſelfe to be eſſoined be ſicke in deed: for if the demaundant doe alleage that the tenant is not ſicke, nor in ſuch ſtate but that he may come before the Iuſtices, his challenge ſhall be admitted, and if it can be ſo proued by Enqueſt, his Eſſoine ſhall be turned into a default. And from henceforth ſuch Eſſoine ſhall not lie in a writ of Right betwen two claiming by one diſcent. Weſtm̃ 2. 13. Ed. 1. 17.

Eſſoine del ſeruice le Roy.

7 If the defendant doe cauſe himſelfe to be eſſoined of the Kings ſeruice, and doe not bring in his warrant at his day which is giuen him by his Eſſoine, he ſhall render damages to the plaintife for his iourney xx. s. or more, according to the Iuſtices diſcretion, and ſhall bee amerced to the King. Glo. 6. Ed. 1. 8. Eſſoine of the Kings ſeruice doth not lie in a Writ of Nouel diſſeiſin, in a Writ of dower vnde nihil habet, in a Writ of Darrein preſentment, nor in Appeale of the death of a man. Stat. de viſu terræ, & eſſoñ de ſeruitio domini Regis.

No Eſſoine for the Appealor.

8 In Appeale of the death of a man there ſhall no Eſſoine lie for the Appealor for any cauſe, in whatſoeuer Court the appeale ſhall happen to be determined. W. 2. 13. Ed. 1. 12.

In what caſes Eſſoines doe not lie.

9 Here is declared how many waies Eſſoines may be challenged, and in what caſes Eſſoines doe not lie. An Eſſoine lieth not, where the land is taken into the Kings hands: Nor where the partie is diſtrained by his lands: Nor where any iudgement is giuen thereupon, if the Iurors do come: Nor where the partie was ſeene in Court: Eſſoine de vltra mare lieth not where the partie another time was eſſoined de malo veniendi: It lieth not where the partie hath eſſoined himſelfe another day: Nor where the Shirife was commanded to cauſe the partie to appeare: Eſſoine de Seruitio Regis lieth not where the partie is a woman: It lieth not in a Writ of Dower, where it ſeemeth to be but a delay of right: It lieth not for that the plaintife hath not found pledges of ſuite: It lieth not where the Attourney was eſſoined: Nor where the partie hath an Atturney in the ſuite: Nor where the Eſſoinor confeſſeth that he is not in the Kings ſeruice: Nor where the Summons is not returned, or the partie not attached, for that the Shirife hath returned Non eſt inuentus: Nor where the partie another time was eſſoined de ſeruitio Regis, viz. ſuch a day, & now he hath not put in his warrant: Nor where he was reſummoned in aſſiſe of Mortdauncetter, or Darreine Preſentment: Nor becauſe ſuch a one is not named in the Writ: Nor where the Shirife had a Precept to diſtraine the partie to come by his lands and goods: Nor where the Biſhop was commanded to cauſe the partie to appeare: It lieth not for that the Terme is paſt. And it is to be noted, that Eſſoines de Seruitio Regis are allowed after the Graund Cape, petit Cape, & after diſtreſſes taken vpon the lands and goods. Stat. de Eſſonijs. Anno 12. Edw. 2.

Eſtreates.

Eſtreats ſhall be ſhewed to the partie, and totted.

IF any Shirife or Miniſter of his, hauing receiued the greene ware to leuie the Kings debts, do not ſhew to the partie indebted the Eſtreates ſealed, and totte the ſame which is paied, but that the debt which in that ſort is once paied, is another time demaunded of the partie, the ſaid Shirife &c. ſhall paie to the partie grieued his treble damages, and make fine to the King. 42. Ed. 3. 9. S. Accomptants to the King. 52. Iuſtices of Peace 88.

2 The Iudge (before whom any iſſues or amerciaments bee forfeited) ſhall charge

charge the Clerke of the Court vpon his oath, that he make the rols of the Eſtreats of ſuch iſſues and amerciaments diſtinctly by expreſſe word of the cauſe of the loſſe, of the Terme of the yeare, the nature of the Writ, and betwixt what parties ſuch iſſues &c. be loſt. 7. H. 4. 3. Rolles of Eſtreats ſhalbe made certain.

3 If any man or towne be charged in the Exchequer by the Eſtreits of the Iuſtices for cattell of fugitiues and felons, and he will alleadge in diſcharge of himſelfe another that is chargeable, he ſhall be heard, & right ſhall be done. 31. Ed. 3. 3.

1 That Shiriſes ſhall make no Eſtreats vntill two Iuſtices haue had the view of them, which Eſtreates ſhall be indented, and the Iuſtices ſhall haue one part. S. Shiriſes 14. 18. 20.

2 To euery Eſtreat of iſſues againſt a Iuror, his addition ſhall be put. S. Iur. 34.

Exchequer.

A Clerke of the Remembrance of the Exchequer ſhall be aſſigned to ſit together with the Clerke of the Pipe, to ſee diſcharges made in the Pipe, & to enroll them in the Remembrance, to ceaſe all proceſſes thereupon made. And ỹ ſummons of the Pipe ſhall be withdrawn, according as the parties by proceſſes be diſcharged. And if there be any willing default made, the treaſurer ſhall puniſh it. 37. Ed. 3. 4. Clerke of the Remēbrance.

2 At what time any debt is once paied, and the Tallies made therof be ioyned, and allowed in the Exchequer, that debt ſhall neuer bee demanded againe. And if it ſo chaunce, that after ſuch allowance made there, any Clerke of the Exchequer make any Writ or Proces, to proue that a debt of new which hath beene paied, & that be duely proued, the ſame Clerke ſhall loſe his Office, and be impriſoned, vntill he hath ſatiſfied the partie ſo much, as by the diſcretion of the Treaſurer and Barons he is endamaged. 1. R. 2. 5. Proces for debt paid.

3 The Barons of the Exchequer ſhall haue authoritie to heare euery anſwer to any demand made in the Exchequer: ſo that each perſon which is impeached there for any cauſe, ſhall be receiued by himſelfe, or by any other perſon, to plead, ſue, and haue his reaſonable diſcharge in this behalfe, without attendance or ſuing forth any Writ or other commandement. 5. R. 2. 5. Speedy pleading.

4 The couenants of thoſe Lords, or others, which ſhall be retained to ſerue the King in his wars, or Embaſſies, ſhall be committed to writing, and ſent into the Exchequer, there to remaine of Record: So that at what time any perſon in ſuch ſort retained, his heirs, executors, occupiers of his goods, or lands, come to account, they ſhall be thereunto receiued, and haue due allowance according to the purport of their couenant: And what is due to them by the ſame account, the Treaſurer & Chamberlaines ſhall make paiment of, without tarrying, or ſuing other warrant of the great or priuie Seale. And if there be any couenant or repeale of the ſaid retainer, the Barons ſhall doe that which is right. 5. R. 2. 10. Couenants for the kings ſeruice.

5 The accounts in the Exchequer ſhall be more briefly heard, made, & ingroſſed than they were wont to be: ſauing that the parcels of the ſame account ſhall bee made as fully as they were in times paſt, and that by an ordinance made by the Barons to endure of Record for euer. Two Clerkes ſhall be aſſigned to make parcels of accounts in the Exchequer, who ſhall be ſworne to doe no falſhood in their office, and ſhall take reaſon for their labour, according to the order of the Barons. 5. R. 2. 11. 12. Parcels of account. Clerkes of the parcels.

6 The accounts of Nihil in the Exchequer ſhall be wholly put out: Or if any ſuch accounts ought there to remaine, the accountants immediately after their oath taken in the ſaid Exchequer, ſhall be examined by the Barons there, if they ſhould or ought to anſwere the King of any thing. And if it appeare by their oath that Nihil. Diſcharge by oath.

that they doe not, then by the ſame oath they ſhall be diſcharged to yéld other account beſoꝛe any Auditoꝛ, alwaies ſauing the K. right. 5. R. 2. 13.

Entring of diſcharges.

7 The Clerke of the Pipe, and the Remembꝛancers of the Exchequer ſhall bée ſwoꝛne, that from terme to terme they ſhall ſée (whiles the ſaid Exchequer ſhall bée open) all the wꝛits of the great oꝛ pꝛiuie ſeale, which ſhall be ſent to the ſaid Exchequer the ſame Terme, foꝛ the finall diſcharge of any perſon of the Realme of any demaund due in the ſaid Exchequer: and that euery of them to whom it appertaineth, ſhall doe execution of the ſaid commandement: And the ſaid two Remembꝛãcers ſhall be ſwoꝛne, that euery Terme they ſhall make a Schedule of all the perſons that ſhall be diſcharged in their offices, by Iudgement, oꝛ in other manner in the ſame Terme, of any demaunds in the ſaid Exchequer, containing the manner of the ſame diſcharges, and to deliuer the ſame Schedules to the ſaid Clerke of the Pipe the ſame Terme, to the intent, that the ſaid Clerke of the Pipe may thereof diſcharge the ſaid partie in the great Roll. And the ſaid Clerke of the Pipe ſhall bée ſwoꝛne, that from Terme to Terme he ſhall demaund the ſaid Schedules, and that he hauing receiued them, ſhall diſcharge the parties in manner afoꝛeſaid. And in the ſame manner the ſaid Clerke of the Pipe foꝛ his part ſhall cauſe to be certified in wꝛiting to the ſaid Remembꝛancers all ſuch diſcharges which ſhall be made in his Office, to the intent, that a man diſcharged in one place may be diſcharged in all other places of the ſaid Exchequer. 5. R. 2. 14.

Clerkes of the Remembꝛances.

Clerke of the Pipe.

Bands with penalties.

8 There ſhall be no Recogniſances oꝛ Bands of the Double in the Exchequer foꝛ the K. debt. Pꝛouided, that the K. ſhall haue ſufficient ſuretie foꝛ his debt, as heretofoꝛe hath bin accuſtomed. 13. R. 2. 14.

Nothing ſhall be take of him which paieth Tenths.

9 If any Officer of the Exchequer doe take of any Archbiſhop, Biſhop, oꝛ other perſon, hauing charge with the collection and paiment of the Tenth of ſpirituall pꝛomotions, any reward foꝛ making his account, oꝛ Quietus eſt, in the ſame Exchequer, oꝛ foꝛ any thing pertaining to the ſame concerning the Tenth, hee ſhall foꝛf. his Office, and make fine at the K. pleaſure. 26. H. 8. 3.

Iſſues foꝛfeited remitted.

10 All manner of Iſſues loſt and foꝛfeited, oꝛ hereafter to bee loſt oꝛ foꝛfeited, which by the true intent of the late Quéene Elizabeths Pꝛiuie Seale, and the Oꝛders hereunto annered, ought to be remitted and diſcharged againſt her ſaid Maieſtie, be and foꝛ euer hereafter ſhall be accoꝛdingly by vertue of this Act clérely acquited and diſcharged againſt the Kings Maieſtie, his Heires, and Succeſſoꝛs. 1. Iac. 26.

Miſdemeanoꝛ cõtrary to the Oꝛders.

11 If the Loꝛd Treaſurers Remembꝛancer foꝛ the time being, oꝛ any of his Clerkes ſhall award any pꝛoces, exact any pleading, oꝛ take any fées, oꝛ otherwiſe in any point demeane him oꝛ themſelues, contrarie to the true meaning of any of the ſaid Oꝛders: Then foꝛ euery ſuch offence which the ſaid Loꝛd Treaſurers Remembꝛancer, oꝛ his Deputie, oꝛ any of his oꝛ their Clerkes ſhall commit, the perſon ſo offending, oꝛ in caſe the partie ſo offending, be vnable to ſatiſfie, the ſaid Lo. Treaſurers Remembꝛancer himſelfe ſhall foꝛfeit xx. l. whereof the one moitie to ỹ K. his Heires, and Succeſſoꝛs, and the other moitie to the partie grieued, to be ſued foꝛ within two yeares of the offence committed, by Action of Debt, B. P. oꝛ I. in any of the K. Courts of Recoꝛd at Weſtm. wherein no E. P. W. oꝛ P. ſhall be alowed. 1. Iac. 26.

Oꝛders foꝛ reſpect of homage.

12 The Oꝛders ſet downe foꝛ reſpect of Homage, by the L. Treaſurer, Chancelloꝛ and Treaſurer of the Exchequer, & the Barons of the ſame Court, made 15. Iunij, Anno Dom. 1573. and in the fifteenth yeare of the Raigne of Quéene Elizabeth, Accoꝛding to her Pꝛiuie Seale to the ſaid Treaſurer and Barons in that behalfe directed, and witneſſed vnder their hands, as followeth.

Fines ſtreated out of the common place

13 Firſt, that no Pꝛoces, Ad faciendum homagium & fidelitatem, oꝛ Ad faciendam fidelitatem, noꝛ any wꝛit of Scire facias, Capias, oꝛ Diſtreſſe from the fines ſtreated 1

ſtreated out of the Court of Common Pleas, ſhall goe out of the Treaſurers Remembrancers Office vpon any Suppoſall, vpon paine by former lawes and ſtatutes limited, and by the Orders of the ſaid Court in that caſe prouided, but vpon a good and iuſt ground, and the ſame ſhall be vouched in euery of the ſaid Proceſſes, according to the booke, terme, yeare, roll, and record thereof, that it may be certainely found. And yet if by any knowne Record remaining in that office, it may appeare the ſame tenure haue bin trauerſed, then the ſaid Proceſſes to be diſcharged by the ſaid Trauerſe without pleading.

2 14 Vpon the Streat of the Originall of the Chauncerie, of the firſt graunts of any lands or tenements holden in chiefe, or by knights ſeruice, or Socage in chiefe, or of any licence of alienation, pardon of alienation, Ouſter le maine, generall or ſpeciall liuerie, or inrolment of any of them, proces ſhall be made onely for the ſeruice due thereupon, and the parties vpon the ſame, ſhall be admitted without pleading, as it hath beene accuſtomed to make their fines for reſpect of homage, or to doe the fealtie forthwith, whenſoeuer they will appeare, and pray to be receiued for the ſame, paying the charges of their ſaid fine, as hereafter is appointed. *Proces vpon the Streat of the Originall.*

3 15 Where the firſt Tenant in any ſuch Writ from the ſaid Originall, or ſuch Inrolment is returned by the Shirife Mort, or Nihil habet, then ſhall goe out according to the auncient courſe of the ſame Court, a Diſtring. tenent. againſt the tenants of the ſame lands to the Shirife, to doe the ſeruice due to the King, and to ſhewe their entrie into the ſame, who returning the name of the tenant of the lands in the Writ, there ſhall goe Proceſſe then euery Terme againſt the ſaid new tenants, to doe their ſaid ſeruice, and alſo to ſhewe their entrie, and they to loſe iſſues thereupon, vntill they come in, and make their fine for reſpect of homage, or fealtie, or doe the fealtie vpon the ſame, according to the auncient courſe of the Exchequer. *The firſt tenant returned Mort or Nihil habet.*

4 16 To auoid the charges of pleading, vpon ſhewing of any mans entrie, it ſhall be lawfull for euery perſon, that by force of any licence of Alienation doth come to any Lands or Tenements holden in chiefe, aſſured to him in fée ſimple, fée taile generall, or ſpeciall, or for Terme of life, by any manner of conueyance in Law, from the partie in the firſt Originall, or Inrolment of the ſame, to bring the ſame licence and conueyance to the ſaid Treaſurers Remembrancer, and therupon the ſaid Barons of the Exchequer, or the ſaid Treaſurers Remembrancer finding the ſaid Licence or Alienation to be good, and agréeable to the aſſurance thereupon made, and likewiſe agréeable to and from the ſaid Originall, and from and with all the Vouchers of the ſame, the partie to whom ſuch Licence of Alienation is made, ſhall bée receiued to inroll the ſaid Licence onely, and to make his fine thereupon for reſpect of Homage, without any further pleading, or other ſhewing of his Title for the ſame. And likewiſe, whoſoeuer ſhall enter into Lands by Liuerie Generall, Speciall, or Ouſter le maine, bringing the ſame and the Schedule of his Liuerie with him, hée ſhall be receiued to like inrolment, and making of his fine without any pleading. *I meane to auoid the charges of pleading.*

5 17 Likewiſe, who ſo that hath a Licence of Alienation of Lands and Tenements holden in chiefe, which thereby are aſſured to him by fine, the ſame perſon may alſo bring in his ſaid Licence, and aſſurance thereupon to be examined, as before in the fourth article is mentioned. And the ſame agréeing together, and alſo agréeing from and with the Originall, and from & with the Vouchers of the ſame, then the partie to be diſcharged without pleading. *Lands aſſured by fine.*

6 18 Where any Writ of Reuerſion ſhall bee made vpon any Record, for Lands or Tenements, wherein the Prince is in Reuerſion, if it doe appeare by any ſufficient matter of Record within the Court, that the Graunt or Record wherevpon the ſaid Writ of Reuerſion is made, is clearely auoided, or determined: *Writ of reuerſion.*

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in ſuch caſe the partie vpon ſhewing forth of ſuch Record, ſhall be diſcharged without pleading.

Two Manors of one name in one Countie.

19 Where there be two Manors, or moe, or other Lands and Tenements of one name in one countie, and the one holden of the Prince in Chiefe, or by Knights ſeruice, and the other not: in ſuch caſes where the matter ſhal ſo appeare of Record, the partie that hath the Manors, or Lands, ſo not holden, ſhall be diſcharged of the Proces without pleading, and the Iſſues thereupon loſt to be ſaued. 7

Iſſues loſt diſcharged.

20 The Iſſues loſt by her Maieſties Subiects, which ſhe of her fauour hath appointed by her priuie Seale to be diſcharged, be as followeth, viz. All Iſſues loſt and to be loſt vpon any that are or ſhal be returned Tenants of Lands which they haue not, ſhal be now diſcharged, though they haue other Lands within the Shire, that could not ſo haue bene, before the ſaid priuie Seale was granted. All Iſſues loſt, or to be loſt, vpon any Heire, or Ward, being within age, or in cuſtodie, or committed to any, ſhall be now as before diſcharged, that were wont to remaine, while the heire come to full age. All Iſſues loſt, or to be loſt vpon the Committees of any Wards lands by Leaſe, as returned Tenant thereof, ſhall be now diſcharged, that otherwiſe ſhould haue bene paied by the ſaid Committees, if they had any Lands or Tenements, Goods, or Chattels, within the ſaid Countie. All Iſſues loſt, or to be loſt vpon any Lands in the Qu. hands, by extent, or otherwiſe, ſhall be now diſcharged, that otherwiſe could not haue bin, by the courſe of the Court. All Iſſues loſt, or to be loſt vpon the Farmers and Tenants of any Lands, for life, yeares, or at will, ſhall be now diſcharged, that were wont to pay them, being returned Tenants thereof by the Shiriſes, if they had any Lands or Goods within the Shire. All Iſſues loſt, or to be loſt vpon Tenants of Lands in Chiefe by Extent, ſhall bee now as afore diſcharged, and could not ſo haue bene before, but were alwaies leuiable vpon the Lands. All Iſſues loſt, or to be loſt by ſundry other vexations, as well by vntrue Returnes and Miſ-returnes of Shiriſes and vnder-Shiriſes, ſhall or may be diſcharged, or moderated, or otherwiſe ordered, as the Court ſhall thinke meete, that were infinite before, and could not be diſcharged, But the partie was driuen to take his remedy againſt the Shiriſe. All Iſſues loſt, or to be loſt vpon any former Graunt of Lands and Tenements in Chiefe, that are afterward giuen not be holden in Chiefe, ſhall be now diſcharged by this priuie Seale, and could no way haue bin remitted, vntill the ſecond Graunt had bene laied and pleaded. All Iſſues loſt, or to be loſt by any perſon returned in any Iurie in the Exchequer, or in any Attaint or Iurie in the K. Bench or Common Place at Weſtminſter, or in any Iurie before the Iuſtices of Aſſiſe in any Court within this Realme, which at the time of their apparance appointed, were beyond the Sea in her Maieſties Seruice, or by ſpeciall Licence in writing, or were or ſhall bee in priſon, or in Ordinarie of her Maieſties Chamber, or Houſhold, and bound to their perſonall attendance there, ſhall be now diſcharged cleare, that before could by no meanes be holpen. 8 a b c d e f g h i

Rata

Rata finium pro homag. tenent. Dñæ Reginæ per vnum annum integrum reſpectuand. cum feod. Rememorat. Theſaur. & pro intrac. finium, cum Record. inde fact. ac pro feod. Attorn. pro eodem anno integro, exhib. Parl.

Valor terrarum.	*Fines Regine.*	*Feod. Rem. Theſ.*	*Pro intrac.*	*Pro feod. attorn.*
Li. Li. A C. ad lx.	s. x.	d. xx.	d. iiij.	By ſome d. xl.
Li. Li. A lx. ad xxx.	marc. dim.	d. xx.	d. iiij.	By ſome d. xx.
Li. Li. A xxx. ad xx.	s. v.	d. xx.	d. iiij.	By ſome nil.
Li Li. A xx. ad xv.	d. xl.	d. xx.	d. iiij.	
Li. Li. A xv. ad x.	s. ij.	d. xx.	d. iiij.	By ſome voluntarie Annuities for all matters: s. xl. / s. xx. / s. d. xiij. iiij. / s. x. / s. d. vj. viij. / s. v.
Li. marc. A x. ad x.	d. xx.	d. xx.	d. iiij.	
marc. s. A x. ad C.	d. xij.	d. xij.	d. iiij.	
s. s. A C. ad lx.	d. viij.	d. viij.	d. iiij.	
s. A lx. & infra.	d. iiij.	d. iiij.	d. iiij.	These neuer looſe iſſues, but haue their fines paid, whether they come, or not.

Item that the ſaid fines ſhall be paid after the ſaid rate exhibited to the Parliament houſe, and not otherwiſe. According to the ſaid Treaſurers Remembrancers owne offer, for himſelfe and the Clerks of his office, It is ordained, that he himſelfe ſhall paie euery ſubiects charges, as by the court of Exchequer ſhall be ſet and ordained, that ſhall be vered by any writ vpon a Suppoſall, and not vpon good & iuſt ground vouched and ſet downe in euery writ, as before is declared. The Clerkes of the ſaid Treaſurers Remembrancers office, ſhall pay all iſſues, that any of her Ma. ſubiects ſhall loſe, after he hath paid his ordinarie fine for reſpect of homage to any of thē, for any lands or tenements, & ſo may be proued by any of their acquitances. W. Burleigh, Wa. Mildemay, Ed. Saunders, George Freuile, Iohn Birche. Ex. per G. Gerrard, Thomas Bromeley. Ex. per Iohn Osburne, xvij. Nouemb. 1601.

21 Prouided alwaies neuertheles, and be it enacted by the authority aforeſaid, if in caſe it ſhal be thought fit, for the true knowledge and preſeruation of ỹ tenures appertaining to the Crowne, & ſo ordered in the open court of Exchequer, ỹ proceſſe ſhould iſſue out of the ſaid Court againſt any, That in euery ſuch caſe, ỹ ſaid treaſurers Remembrancer, or any his Clerkes, may ſend out the ſaid proces, without incurring any the penalties of this Act: In which caſe no ſuch Tenure appearing

to the Court, the partie ſhall be clearely diſmiſſed, without any maner of pleading, or paying any fees at all. 1. Iac. 26.

1 For the authoritie of the Court of Excheq. S. Courts.

2 The maner of reforming erronious Iudgements giuen in the Exchequer. S. Erreur 2. 3. 5.

3 Barons of the Exchequer ſhall doe right to all men without delay. S. Iuſtices &c. 2.

4 Proces awarded out of the Exchequer, for the recouery of the Kings rights. S. Shirifes 38.

5 S. Stat. de Scaccario made Añ 51. H. 3. & Stat. de Rutland. made Añ 10. E. 1. in the Stat. at large.

Excommunication.

Awarding & returning of the writ of Excom. cap.

Euery Writ of Excommunicato capiendo, that ſhall be granted and awarded out of the Chauncerie, againſt any perſon or perſons within the Realme of England, ſhall bee made in the time of the Terme, and returnable before ỹ Quæn, her heires and ſucceſſors in the Kings Bench, in the Terme next after the Teſte of the ſame writ. And the ſame writ ſhalbe made to contains at the leaſt xx. daies betweene the Teſte and the returne thereof. And after the ſame writ ſhall be ſo made and ſealed, then the ſaid writ ſhall be forthwith brought into the K. Bench, & there in the preſence of the Iuſtices ſhall be opened and deliuered of Record to the Sherife, or other Officer, to whom the ſeruing and executing thereof ſhall appertaine, or to his or their deputie or deputies. And if afterwards it ſhall or may appeare to the Iuſtices of the ſame Court for the time beeing, that the ſame writ, ſo deliuered of record, bee not duely returned before them, at the day of the returne thereof, or that any other default or negligence hath beene vſed or had in the not well ſeruing and executing of the ſaid writ, Then the Iuſtices of the ſaid Court, ſhall and may aſſeſſe ſuch Amerciament vpon the ſaid Shirife or other Officer, in whom ſuch default ſhall appeare, as to the diſcretion of the ſaid Iu. ſhall be thought meet and conuenient, which amerciament ſo aſſeſſed, ſhall be eſtreated into the Excheq. as other amerciaments hath beene vſed. 5. El. 23.

What ſhall be done with the body of the Excommun.

2 The Shirife or other Officer to whom ſuch writ of Excommunicat capiend or other proces, by vertue of this Act ſhall be directed, ſhall not in any wiſe be compelled to bring the body of ſuch perſon or perſons, as ſhall be named in the ſaid writ and proces into the K. Bench, at the day of the returne thereof, but ſhall onely returne the ſaid writ and proces thither, with declaration briefly how and in what manner he hath ſerued and executed the ſame, to the intent, that thereupon the ſaid Iuſtices may then further therein proceed, according to the tenor and effect of this Act. 5. El. 23.

If the Shirif returne Non eſt inuentus.

3 And if the Shirife or other Officer to whom the Execution of the ſaid writ ſhall ſo appertaine, do or ſhall returne, that the partie or parties named in the ſaid writ cannot be found within this Baliwicke: Then the Iuſtices of the K. Bench for the time beeing, vpon euery ſuch returne ſhal award one writ of Capias againſt the ſaid perſon or perſons named in the ſaid writ of Excom. cap. returnable in the ſame court in the Terme time, two moneths at the leaſt next after the Teſte thereof, with a Proclamation to be contained within the ſaid writ of Capias, that the Sherife or other Officer to whom the ſaid writ ſhall be directed in the full County Court, or elſe at the generall Aſſiſes and Gaole deliuerie to be holden within the ſaid countie, or at a quarter ſeſſions to be holden before the Iuſt. of the peace within the ſame countie, ſhall make open proclamation v. daies at the leaſt before the returne, that the partie or parties named in the ſaid writ, ſhall within fiue daies

next

next after ſuch proclamation, yelde his or their bodies to the gaole and priſon of the ſaid Shirife, or other ſuch officer, there to remaine as a priſoner, according to the tenor and effect of the firſt writ of Excom. cap. vpon paine of forf. of r.l. And thereupon after ſuch proclamation had, and the ſaid 6. daies paſt and expired, then the ſaid Shirife or other officer to whom ſuch writ of Capias ſhalbe directed, ſhall make returne of the ſame writ of Capias into the K. Bench, of all that he hath done in the execution thereof, and whether the partie named in the ſaid writ hath yelded his bodie to priſon, or not. And if vpon the returne of the Sherife it ſhall appeare, that the party or parties named in the ſaid writ of Capias, or any of them, haue not yelded their bodies to the gaole and priſon of ỹ ſaid Sherife, or other officer, according to the effect of the ſame proclamation: Then euery ſuch perſon that ſo ſhall make default, ſhall for euery ſuch default forfeit to the Qu. her heires and ſucceſſors r.l. which ſhall be likewiſe eſtreated by the ſaid Juſt. into the Exchequer in ſuch manner and forme, as fines and amerciaments there tared and aſſeſſed, are vſed to bee. And thereupon the Juſt. of the K. Bench ſhall alſo award forth one other writ of Capias againſt the ſaid perſon, or perſon, that ſo ſhall be returned to haue made default, with ſuch like proclamation, as was contained in the firſt Capias, and a pain of rr.l. to be mentioned in the ſaid ſecond writ and proclamation. And the Shirife or other Officer, to whom ỹ ſaid ſecond writ of Capias ſhalbe ſo directed, ſhal ſerue and execute the ſame ſecond writ, in ſuch like manner and forme, as before is expreſſed for the ſeruing and executing of the ſaid firſt writ of Capias. And if ỹ Shirife or other Officer ſhall returne vpon the ſaid ſecond Capias, that he hath made ỹ proclamation, according to the tenor and effect of the ſame writ, and that the partie hath not yelded his bodie to priſon, according to the tenor of the ſaid proclamation: Then the ſaid partie that ſo ſhall make default, ſhall for ſuch his contempt and default forf. to the Qu. her heires and ſucceſſors rr.l. which ſumme of rr.l. the Ju. of the K. Bench for the time being, ſhall likewiſe cauſe to be eſtreated into the Exch. in manner and forme aforeſaid. And then the ſaid Juſt. ſhall likewiſe award forth one other writ of Capias againſt the ſaid partie, with ſuch like proclamation and paine of forf. as was contained in the ſaid ſecond writ of Capias. And the Shirife or other officer to whom the ſaid third writ of Capias ſhal be ſo directed, ſhal ſerue & execute the ſaid third writ of Capias in ſuch like maner & forme, as before in this act is expreſſed and declared, for the ſeruing and executing of the ſaid firſt and ſecond writs of Capias. And if the Shirife, or other Officer, to whom the execution of the ſaid third writ ſhall appertaine, doe make returne of the ſaid third writ of Capias, that the partie vpon ſuch proclamation hath not yelded his bodie to priſon, according to the tenor thereof: Then euery ſuch partie for euery ſuch contempt and default, ſhall likewiſe forf. to the Qu. her heires & ſucceſſors other rr.l. which ſumme of rr.l. ſhall likewiſe be eſtreated into the Exchequer, in manner and forme aforeſaid. And thereupon the ſaid Juſtices of the K. Bench ſhall likewiſe award forth one writ of Capias againſt the ſaid partie with like proclamation and like paine of forf. of rr.l. And alſo the ſaid Juſtices ſhall haue authoritie infinitely to award ſuch proces of Capias with ſuch like proclamation and paine of forf. of rr. l. as is before limited, againſt the ſaid partie that ſo ſhall make default in yelding of his bodie to the priſon of the Shirife, vntill ſuch time, as by returne of ſome of the ſaid writs before the ſaid Juſtices, it ſhall and may appeare, that the ſaid partie hath yeelded himſelfe to the cuſtodie of the ſaid Shirife or other Officer, according to the tenor of the ſaid proclamation. And the partie vpon euery default and contempt, by him made, againſt the proclamation of any of the ſaid writs ſo infinitely to be awarded againſt him, ſhall incurre like paine of forf. of rr.l. which ſhall likewiſe be eſtreated in manner and forme aforeſaid 5. El. 23.

r.l. forf. for not appearing vpon the firſt Capias.

2. Capias.

3. Capias.

Capias infinit.

4 When any perſon or perſons ſhall yeld his or their bodie or bodies into the

The offendor yeelding his bodie.

hands of the Shirife, or other Officer, vpon any of the ſaid writs of Capias, then the ſame partie or parties that ſhall ſo yeeld themſelues, ſhall remaine in the priſon and cuſtodie of the ſaid Shirife, or other Officer, without bayle, baſton, or mainprize, in ſuch like maner and forme to all intents and purpoſes, as he or they ſhould or ought to haue done, if he or they had bin apprehended and taken vpon the ſaid writ of Excom. capiend. 5. El. 23. S. Returne of Shirifes 9.

The biſhops authoritie.

5 Sauing and reſeruing to all Archbiſhops and Biſhops, and al others hauing authoritie to certifie any perſon excommunicated, like authoritie to accept and receiue the ſubmiſſion and ſatiſfaction of ỳ ſaid perſon ſo excommunicated, in maner and forme heretofore vſed, and him to abſolue and releaſe, and the ſame to ſignifie, as heretofore it hath bene accuſtomed to the Queene, her heirs, and ſucceſſors, into the Chauncerie, and thereupon to haue ſuch writs for the deliuerance of the ſaid perſon ſo abſolued and releaſed, from the Shirifes cuſtodie or priſon, as heretofore they or any of them had, or of right ought or might haue had: any thing in this ſtat. &c. 5. Eliz. 23.

Proces out of liberties, where the Q. writ runneth not.

6 Prouided alwaies, that in Wales, the Counties Palantines of Lancaſter, Cheſter, Durham, and Ely, and in the Cinque Ports, beeing iuriſdictions and places exempt, where the Qu. writ doth not runne, and proces of Capias from thence not returnable into the K. Bench, after any Significauit being of record in ỳ Chancerie, the tenor of ſuch Significauit by Mittimus, ſhall be ſent to ſuch of the head Officers of the ſaid countrie of Wales, Counties Palantines & places exempt, within whoſe offices, charge, or iuriſdiction the offendors ſhall be reſiant: that is to ſay, to the Chauncelour or Chamberlaine for the ſaid Countie Palantine of Lancaſter & Cheſter, And for the Cynque Ports to the L. Warden of the ſame, And for Wales, and Ely, and the Countie Palantine of Durham, to the chiefe Iuſtice or Iuſtices there. And thereupon, euery of the ſaid Iuſtices and officers to whom ſuch tenour of Significauit with Mittimus ſhall be directed and deliuered, ſhall haue power and authoritie to make like proces to the inferiour officer and officers to whom the execution of proces there doth appertaine, returnable before the Iuſtices there, at their nert Seſſion or Courts, two months at the leaſt after the Teſte of euery ſuch proces: So alwaies, as in euery degree, they ſhall proceed in their Seſſions and Courts againſt the offendors, as the Iuſt. of the K. Bench are limited by the tenor of this Act, in Terme times to doe and execute. 5. El. 23.

Certaine perſons diſcharged of the penaltie.

7 Prouided alſo, that any perſon, at the time of any proces of Capias afore mentioned, awarded, beeing in priſon, or out of this Realme in the parts beyond the Sea, or within age, or of Non ſanæ Memoriæ, or woman couert, ſhall not incurre any of the paines or forfeitures afore mentioned, which ſhall growe by any returne or default happening, during ſuch time of nonage, impriſonment, being beyond the ſea, or Non ſanæ Memorię. And that by vertue of this ſtatute, the partie grieued may plead euery ſuch cauſe or matter in barre, of and vpon the diſtreſſe, or other proces that ſhall be made for leuying of any of the ſaid pains or forf. 5. El. 23.

Addition.

8 And if the offendor againſt whom any ſuch writ of Excom. cap. ſhall bee awarded, ſhall not in the ſame writ of Excom. cap. haue a ſufficient and lawfull addition, according to the forme of the ſtat. of Añ 1. H. 5. in caſes of certaine ſuites, whereupon proces of Exigent are to be awarded: Or if in the Significauit it bee not contained, that the Excommunication doth proceed vpon ſome cauſe or contempt, or ſome originall matter of hereſie, or refuſing to haue his or their child baptized, or to receiue the holy Communion, as it is now commonly vſed to be receiued in the Church of England, or to come to diuine ſeruice now commonly vſed in the ſaid Church of England, or error in matters of religion or doctrine now receiued and allowed in the ſaid church of Eng. Incontinencie, Vſurie, Symonie, Periurie in the Eccleſiaſticall Court, or Idolatrie: that then all and euery paines

Cauſes of excommunicatiõ

and

and forf. limited againſt ſuch perſons excommunicate by this ſtat. by reaſon of ſuch writ of Excom. cap. wanting ſufficient addition, or of ſuch Significauit, wanting al the cauſes afore mentioned, ſhalbe vtterly void in law, and by way of plea to be allowed to the partie grieued. 5. Eliz. 23.

9 And if the Addition ſhalbe with a Nuper of the place: then in euery ſuch caſe at the awarding of the firſt Capias with Proclamation according to the forme afore mentioned, one writ of Proclamation (without any paine expreſſed) ſhall be awarded into the Countie where the offendor ſhall be moſt commonly reſiant at ỳ time of the awarding of the ſaid firſt Capias, with paine in the ſame writ of Proclamation, to be returnable the daie of the returne of the ſaid firſt Capias with pain and proclamation thereupon, at ſome one ſuch time and court, as is preſcribed for the proclamation vpon the ſaid firſt Capias with paine. And if ſuch proclamation be not made in the Countie where the offendor ſhal be moſt commonly reſiant in ſuch caſes of additions of Nuper: then ſuch offendor ſhall ſuſtaine no paine or forf. by vertue of the ſtat. for not yeelding his or her bodie according to the tenor afore mentioned: any thing before ſpecified &c. notwithſtanding. 5. El. 23. Addition with a Nuper.

10 The Kings letter ſhall not be ſent to the Ordinarie to abſolue an excommunicate, but where the Kings libertie is preiudiced by the excommunication. Artic. Cler. 9. E. 2. 7.

11 A writ of Excommunicat. capiend. may be awarded to take a Clerke excommunicate for contumacie, after fortie daies, & to carrie him forth of the pariſh where he dwelleth. Artic. Cler. 9. E. 2. 12.

1 Excommunication for ſmiting, or laying violent hands in a church or churchyard. S. Fighting 3. 4.

2 Excommunication for diſobeying the ſentence of an Eccleſiaſticall Iudge in cauſes of Tithes. S. Tithes 35.

3 Excommunication in the plaintife or demandant in Attaint is a void plea. S. Attaint 3.

S. Recuſants 52. 67. for Recuſants excommunicated.

Exception.

WHen any that is impleaded before any Iuſt. doth alleadge an exception, praying that the Iuſt. will allow it, which if they will not allow, if he that alledged the exception, do write the ſame exception, and require that the I. wil put to their Seales for a witneſſe, they ſhall ſo doe, and if one will not, another of the cõpany ſhall. And if the K. vpon complaint made againſt the Iuſt. cauſe the Record to come before him, and the ſame exception be not found in the Roll, and the pl. ſhew the exception writtẽ vnder the ſeale of a I. the I. ſhall be commanded to be ready at a certaine day, either to confeſſe, or denie his ſeale: And if the Iuſt. cannot denie his ſeale, they ſhall proceed to iudgement, according to the ſame exception, as it ought to be allowed or diſallowed. W. 2. 13. Ed. 1. 30.

Execution.

WHen a debt is recouered or confeſſed in the K. Court, or damages awarded, it is in his election which doth purſue for ſuch debt or damages, to ſue a writ of Fieri fac. that is, that the Sherife ſhal leuie ſo much of the lands & chattels of the debtor, or els an Elegit, viz. that the Shirife ſhall deliuer vnto him all ỳ goods & chattels of the debtor (ſauing his oren & beaſts of his plough) and the one halfe of his lands, vntill the debt be leuied vpon a reaſonable price and extent, and if he bee put out of the ſame lands, he ſhall recouer by Aſſiſe of No. diſſ. and after by a writ of Rediſſ. if need be. W. 2. 13. E. 1. 18. Execution by Fieri facias, or Elegit.

Execution of things recoꝛded.

2 Where ſhall be no pꝛoces awarded by ſummons, attachement, eſſoine, viewe, of land, and other ſolemnities of thoſe things which be recoꝛded beſoꝛe the Chancelloꝛ oꝛ Juſtices, and inrolled in the rolles, as is vſed in bargaines and couenants made out of the Court: But thoſe things which bee found inrolled beſoꝛe them, which haue Recoꝛd, oꝛ contained in any fines, whether they be contracts, couenants, obligations, ſeruices, oꝛ cuſtomes knowledged, oꝛ any other thing inrolled, wherein the K. Court without offence of law and cuſtome, may execute their authoꝛitie, be of that foꝛce, that it ſhall not be nedfull to plead foꝛ them. But if the knowledge be new, oꝛ the fine leuied within a yeare, the plaintife ſhall haue a writ of Execution. And if the cogniſance oꝛ fine haue bene of long time, a Scire fac. ſhall be directed to the Shirife to warne the partie, againſt whom the complaint is made to appeare beſoꝛe the Juſt. at a certaine day, and ſhew why execution ſhould not be made of that which is inrolled oꝛ contained in the fine. And if he appeare not at that day, oꝛ doe appeare, and can ſhew nothing why execution ſhould not be awarded, the Shirife ſhall be commanded to execute the things inrolled oꝛ contained in the fine. And in like ſoꝛt ſhall the Oꝛdinarie be commanded, in his caſe where, &c. W. 2. 13. Ed. 1. 45.

A remedie foꝛ the Cogniſee where lands deliuered him in execution be recouered.

3 If any ſuch lands, tenements, oꝛ hereditaments, as ſhall be had and deliuered to any perſon in Execution vpon a iudgement giuen foꝛ him of his debt oꝛ damages vpon a Stat. Marchant, Stat. of the Staple, oꝛ recogniſance to him beſoꝛe made oꝛ knowledged, oꝛ vpon any lawfull title oꝛ cauſe wherewith the ſaid lands &c. were liable & bound, at ſuch time as they were deliuered & taken into execution, ſhall happen to be recouered, lawfully deueſted, taken, oꝛ euicted, from the poſſeſſiõ of any ſuch perſon as ſhall haue the ſame in execution, without any fraud oꝛ other default of the tenant by execution, beſoꝛe the ſaid tenant, his executoꝛs, oꝛ aſſignes ſhall haue leuied oꝛ receiued the ſaid whole debt and damages, foꝛ the which the ſaid lands &c. were deliuered and taken in execution: Then euery ſuch Recoueroꝛ, Obligee, and Recogniſee, ſhall and may haue and purſue a writ of Sci. fac. out of the ſame Court, from whence the ſaid foꝛmer writ of Execution did pꝛoceed, againſt ſuch perſon oꝛ perſons, as the ſaid writ of Execution was firſt purſued, their heirs, executoꝛs, oꝛ aſſignes, of ſuch lands, tenemẽts, oꝛ hereditamẽts, as were oꝛ haue bin then liable to the ſaid execution, returnable into the ſame court at a certaine day, being full xl. daies after the date of the ſame writ: at wch day if the def. (being lawfully warned) make default, oꝛ appeare, and doe not ſhew and plead a ſufficient cauſe, other than the acceptance of the ſaid lands, &c. by the ſaid foꝛmer writ of Execution, to barre oꝛ diſcharge the ſaid ſuite, foꝛ the reſidue of the ſaid debt and damages remaining vnleuied oꝛ vnreceiued by the ſaid foꝛmer execution: Then the Loꝛd Chancelloꝛ, oꝛ other ſuch Juſtice oꝛ Juſtices beſoꝛe whom ſuch writ of Scire fac. ſhalbe returnable, ſhall make eſtſones a new writ oꝛ writs out of the ſaid foꝛmer Recoꝛd of iudgement, Stat. Marchant, Stat. Staple, oꝛ Recogniſance of like nature and effect, as the ſaid foꝛmer writ of execution was, foꝛ the leuying of the reſidue of all ſuch debt and damages, as then ſhall appeare to be vnleuied, vnſatiſfied, oꝛ vnpaid of the whole ſumme in the ſaid foꝛmer writ of Execution contained. 32. H. 8. 5.

A new execution againſt one pꝛiuiledged by Parliament.

4 If any perſon bæing arreſted in Execution, and by pꝛiuiledge of either of the houſes of Parliament ſhall be ſet at libertie, the partie at oꝛ by whoſe ſuit ſuch writ of Execution was purſued, his Executoꝛs oꝛ Adminiſtratoꝛs, after ſuch time as the pꝛiuiledge of that Seſſion of Parliament, in which ſuch pꝛiuiledge ſhal be ſo graunted ſhall ceaſe, may ſue foꝛth and execute a new writ oꝛ writs of Execution, in ſuch manner & foꝛme, as by the law of this Realme he oꝛ they might haue done, if no ſuch foꝛmer execution had bæne taken foꝛth oꝛ ſerued. And no Shirife, Bailife, oꝛ other Officer, from whoſe arreſt oꝛ cuſtodie any ſuch perſon ſo arreſted

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in execution, shalbe deliuered by any such priuiledge, shall be charged or chargeable with or by any action whatsoeuer, for deliuering out of execution any such priuiledged person, so as is aforesaid, by such priuiledge of Parliament set at libertie, Any law, custome, or priuiledge, heretofore to the contrarie notwithstanding: But this Act shall not extend to the diminishing of any punishment, to bee hereafter by censure in Parliament inflicted vpon any person which hereafter shall make, or procure to be made any such arrest, as is aforesaid. 1. Iac. 13.

No charge shalbe to him from whom the prisoner is deliuered.

5 No Execution shalbe staied, or delaied, vpon, or by any writ of Error, or Supersedeas thereupon to be sued, for the reuersing of any Iudgement giuen, or to be giuen, in any Action, or bill of debt, vpon any single bond or debt, or vpon any Obligation with condition for the paiment of money onely, or vpon any action, or bill of debt for rent, or vpon any contract sued in any of his Highnesse Courts of Record at Westminster, or in the Counties Palantine of Chester, Lancaster, or Durham, or in his Highnesse Courts of great Sessions in any the twelue shires of Wales: vnlesse such person or persons, in whose name or names such writ of Error shall be brought, with two sufficient suerties, such as the court wherein such Iudgement is, or shall be giuen, shall allow of, shall first before such stay made, or Supersedeas, to be awarded, be bound vnto the partie for whom any such Iudgement is or shall be giuen by recognisance to be acknowledged in the same Court, in double the summe adiudged to be recouered by the said former Iudgement, to prosecute the said writ of Error with effect: And also to satisfie and pay (if the said Iudgement be affirmed) all and singular the debts, damages, and costs, adiudged, or to bee adiudged vpon the former Iudgement: And all costs and damages to bee also awarded for the same delaying of Execution. 3. Iac. 8. to endure vntill the end of the first Session of the nert Parliament.

In what only case execution shalbe staied by writ of Error.

1 How much a Shirife or his Officers may take for ſeruing of Execution. S. Shirifes 35.

Executors.

EXecutors shall haue a writ of Accompt, and like Action and Proces in the same writ, as their Testator should haue had if he had liued. West. 2. 13. Ed. 1. 23. And Executors shall haue an action of Trespas against the trespassors, for a trespasse done to their Testator, of the goods and cattels of the same Testator carried away in his life time, and shall recouer their damages in such manner as he whose Executors they be, should haue done if he had liued. 4. Ed. 3. 7.

A remedie for Executors for things done in the life of the Testator.

2 Executors of Executors shall haue an action of Accompt, of debt, and of goods taken away of the first Testators, and execution of Statutes marchants, and Recognisances knowledged in Court of Record to the first Testator, in the same maner as the first Testator should haue had if he had liued. And the same Executors of Executors shall answere other men so much, as they haue recouered of the goods of the first Testators, as the first Executors should haue done if they had liued. 25. Ed. 3. 5.

Executors of Executors.

3 Where part of the Executors named in any Testament of any person making any Will of any lands, tenements, or other hereditaments, to bee sold by his Executors after the death of any such testator, do refuse to take vpon him or them the administration and charge of the same testament, wherein they be so named to be Executors, and the residue do take vpon them the charge of the same testament: then all bargaines and sales of such lands &c. (so willed to be sold, by the Executors of any such Testator) made by him or them only, of the said Executors, that so doth take vpon him or them, any such cure or administration of any such Will, shall bee good and effectuall in the law, as if also the residue of the same Executors, named

Part of the executors may sel the land deuised to be sold

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in the ſaid teſtament had ioyned with him or them in the making of the bargaine and ſale of ſuch lands, tenements, or other hereditaments ſo willed to bee ſold, by the executors of any ſuch Teſtator which ſhall make ſuch Will. 21.H.8.4.

Fourcher by Eſſoine.

The executor which firſt appeareth ſhall anſwer.

4 In a writ of Debt brought againſt diuers Executors, they ſhal not fourch by Eſſoine before appearance nor after, ſo that they ſhal haue but one Eſſoine, as their Teſtator ſhould haue had. And the Executor or Executors, which do firſt appeare at the grand diſtreſſe returned, ſhall anſwere the plaintife, and if iudgement paſſe for the plaintife, the iudgement and execution ſhall bee againſt them which haue pleaded, and al the reſidue named in the writ, of the goods of the teſtator, as if they had all aſſented to plead. 9.E.3.3.

Seruants imbecilling the Teſtators goods.

5 Executors ſhall haue a writ out of the Chauncery, by the aduice of the Chancelor, two chiefe Iuſt. and the chiefe Baron of the Exchequer, with two proclamations returnable into the B. Bench, againſt ſuch houſhold ſeruants of the Teſtator, as haue ſpoiled or eloined the goods of their maſter, after the death of the Teſtator. And if the writ be returned ſerued, and the defendants make default, they ſhal be attainted of felonie. And if they appeare, they ſhalbe committed to priſon, there to remaine at the diſcretion of the I. vntill the offendors do anſwer to the ſaid executors in ſuch actions which the ſaid executors will declare againſt them, or any of them, by bill, or writ, for the riot, taking, & ſpoyling aforeſaid, and that the ſame actions be determined, So that ſuch actions be purſued with effect, and not ſlackly, to retaine the ſame perſons in priſon. And if the ſame perſons bee enlarged out of priſon, by the ſaid I. then they ſhall find ſuerties to the executors by recogniſance, to keepe ſuch dayes as they ſhall haue aſſigned by the court. And if the keeper of the priſon whereunto they ſhall be committed, do let them go at large, without order of the Iuſtices, then the ſaid keeper ſhall forfeit xl.l. to the executors. No Protection ſhall lie in any action vpon this Stat. 33.H.6.1.

1 How Executors ſhall recouer rents due in time of their Teſtator. S. Rents 1.

2 The fathers Executors be bound to ſatisfie the daughter of aid receiued. S. Aid &c. 1.

3 Executors may maintaine a writ of Idemptitate nominis. S. Sherifes 23.

4 Ordinaries ſhall anſwere as Executors as farre as the goods will extend. S. Ordinarie 1.

5 The money or profit of lands willed to be ſold, ſhall not be taken as any of the goods of the Teſtator. S. Probat &c. 8.

6 What Executors or others ſhall pay to the Ordinarie for the Probate of Teſtament. S. Probate 1.2.3.

7 Where the heire being charged ſhall haue remedie againſt his Auncеſtors Executors. S. Accomp. to the K. 27.

8 Where the Executors of the K. or Q of this Realme, and where the heire ſhall haue the ſpecialties not paid &c. S. Accomp. to the K. 2.

9 The K. may charge the heire or Executors of his debtor. S. Accomp. to the King 6.

Exemplification.

Exemplification of the M. L. Patents.

EMeris Patentæ, his heires, ſucceſſors, executors, and aſſignes, and euery other perſon hauing by, from, or vnder his or their title, any eſtate or intereſt, of, in, or to lands, tenements, hereditaments, or other thing whatſoeuer, to ſuch patentæ heretofore graunted by any letters patents, by any King or Qu. of this Realme at any time ſithence 4. Februarij An. 27.H.8. or hereafter to be granted by the Qu. Maieſtie, her heires or ſucceſſors, ſhall and may at all times in the Qu. courts, &c. and elſewhere, make and conuey to and for himſelfe, ſuch claime or title by way of

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declaration, plaint, barre, auowrie, replication, or other pleading whatsoeuer, as well against the Qu. &c. and euerie other person for or concerning the lands, hereditaments, or other things contained in such letters patents, or for or concerning any part thereof, by shewing forth an Exemplification or Constat vnder the great Seale of England, of the inrolement of the same letters patents, or of so much thereof as may serue to, or for such title, claime, or matter (the same letters patents then remaining in force not lawfully surrendred or cancelled) for and concerning so much, & such part of such lands &c. whereunto such title or claime shalbe made, as if the same letters patents were pleaded and shewed forth. 13.El.6. 3.E.6.4.

1 No Fines or Recoueries shall bee amended after Exemplification thereof. S. Fines 28.37.

2 Exemplification of Records in Wales. S. Wales 20.

Exigent and Outlawrie.

Such Proces shalbe made in a writ of Debt, and Detinue of cattels, and taking of beasts by writ of Capias, and by proces of Exigent by the Sherifes returne, as is vsed in a writ of Accompt. 25.E.3.17. No Exigent shall be awarded where a man is indicted of trespasse (except it be against the peace) 18.E.3.5. *Exigent in trespas contra pacem.*

2 Where the plaintife doth recouer damages, & he against whom the dammages be recouered is Outlawed at the K. suit, no charter of pardon shall be graunted of his Outlawrie, except the Chancelor of England bee certified that the plaintife is agreed withall for his damages. 5.E.3.12. *No pardon of Outlawrie without agrement with the plaintife.*

3 Where a man is outlawed by proces before hee doth appeare, no charter of pardon shalbe granted, except the Chancelor be certified that he which is outlawed hath yelded himselfe to prison before the J. of the court from whence the Exigent was awarded, that is, if from the K. Bench, then he shal render himself to the same Court, if from the Common pleas, then he shal render himselfe thither, and if from Iust. assigned to heare and determine, sitting the same Iustices, he shall yeld himselfe before them, and if they be risen, then he shall yeld himselfe in the K. Bench before the Iust. and the record and proces shalbe remoued before them by Writ. And the Iust. before whom they shall so yeld themselues, shall cause the plaintife to be warned to be at a certaine day before them, at which day if the warning bee duely witnessed or certified, and the plaintife doe appeare vpon the same warning, then they shall plead vpon the first originall writ, as though no outlawrie had bin pronounced, and if the plaintife come not, he that is outlawed shall be deliuered by vertue of his charter. 5.E.3.12. *No pardon of Outlawry before the partie doth yeld him selfe to prison*

4 If any man will defeat an Outlawrie pronounced against him, by reason of imprisonment certified by the Sherife or others which haue no Record, hee shall yelo himselfe to prison, and then the Iust. of the K. Bench shall cause the party to be warned, at whose suit that Outlawrie was pronounced, to be before them at a certaine day, at which day if the partie will auerre, that the certificat is vntrue, his auerment shalbe receiued: And in like maner shal the Kings Seriant or Atturney or any other that will sue for the K. be receiued to haue such auerment against such certificat, where the Outlawrie is pronounced at the K. suit. 5.E.3.13. *Outlawry defeated by imprisonment.*

5 If, and where a writ of Exigent shall be awarded at the suit of the K. or any other plaintife in any action personall against any person, called of any Shire or city being a Shire corporat of it selfe, or else late of any such Shire or Citie, other then into such Shire or Citie, whereinto such Exigent shall bee awarded, to bee called according to the law: and also in euery writ of Exigent in any action personall, whereof the proces or Exigent shall be directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, & at the time of the Exigent *Proclamations awarded into a forraine Countie.*

gent awarded, not dwelling in London nor in Middlesex, or els that the said defendant or defendãts, in the same Exigẽt dwel in any other shire or place, then where the Kings writ runneth: then the Justices before whom any such Exigent is to be awarded, in al actions where the Exigent shal not be directed into London or Middlesex, shall award a writ of Proclamation to be directed to the Sherife of the same Countie, where it doth appeare by the ving of such action, ẏ the partie defendant is, or lately was dwelling, if the K. writ there be currant, or else to the next Shire adioyning to the Countie or Counties, or other places whereof the partie is called, or lately supposed by the said Exigent to haue his being, where the K. writ so runneth not: and in euery action whereof the Exigent shalbe directed into London or Middlesex, and the defendant in the same called late of London or Middlesex, and at the time of the Exigent awarded not dwelling in London or Middlesex: Then the writ of Proclamation shalbe directed vnto the Sherife of the Shire, where the defendant at the time of the Exigent so awarded shall haue his dwelling, or in case where the K. writ runneth not, vnto the next shire thereunto adioyning, the which said writ of Proclamation shall containe the effect of the same action, and the Sherife of the Countie to whom any such writ of Proclamation shall be directed, shall make thrée Proclamations within his countie, at thrée seuerall dayes, viz. two in the full shire Court of the same Countie, and the third at the generall Sessions in those parties, where the partie defendant is supposed to be dwelling, or in the parties of the Countie next adioyning to the Countie or Counties where the K. writ runneth not, that the partie defendant yéld himselfe to the Sherife of the forreine Countie, to whom any such Exigent in any action personall is awarded, so that the Sherife of such forreine Countie, may vpon his yéelding, haue his bodie before the Iust. before whom any such Exigent is awarded at the day of the same Exigent comprised, there to answer to the plaintife in the same according to the law. And euerie such writ of Proclamation shall haue the same day of returne, as the writ of Exigent vpon such forreine actions so awarded shall haue, & euery such writ of proclamation shalbe deliuered of Record to the Sherife or deputie of the Countie into the which any such writ of Proclamation is to be awarded, and the Sherife of the same Countie shall duly execute the same, and therof make true returne at the day of the same writ appointed, vpon paine to forfeit such amerciament vnto the King and his heire, as by the Iust. before whom such Exigent shalbe returnable, shal be set. And the Officer in whose office such Exigent is taken, shall make out the said writ and writs of Proclamation as shalbe awarded in any of the said Courts, and shall take no more for the making of any such writ, and the entring of the same of record, but only vj. d. And if any Outlawrie be had, or promulged against any person in any action personall in any forreine Countie, & no writ of Proclamation (as is aforesaid) awarded and returned, thẽ euery such Outlawrie shalbe vtterly void. And all Outlawries had contrarie to this Act shalbe auoided by Auerment, without suing of any writ of Error. 6. H. 8. 4. S. Indictments 23.

6 Whensoeuer any writ of Exigent shall be awarded at the suit of the K. or any other person plaintife in any action or suit in the K. Bench, or Common pleas, against any person dwelling in any of the twelue Counties in Wales, or in any of the counties Palantine of Lancaster, Chester, or the citie of Chester, then immediatly vpon the awarding of euery such Exigent, the Iustices before whom any such Exigent shalbe sued &c. haue authoritie to award one writ of Proclamation, according to the tenor and effect of Proclamations awarded vpon Exigents directed out of any of the said Courts into London, or into any other Shires within this Realme, against any other person dwelling in any other Shire where the Kings writ is currant, according to the order and forme of the foresaid Statute 6. H. 8. to be directed to such of the Sherifs of any of the foresaid counties in Wales,

and

Proclamations where the party is dwelling in a countie Palantine.

Thrée Proclamations.

The Proclamation shal be deliuered to the Sherife of Record.

Outlawrie auoided by Auerment.

Exigent against any person dwelling in Wales, or in Lancashire, Chelshire, or Chester.

and of Lancaſter, Cheſter, and of the citie of Cheſter, where it ſhall happen the ſaid defendant againſt whom the ſaid action ſhall be ſued, to be dwelling (But of the writs directed to the Sherife of the Countie of Lancaſter, none ſhall be directed to the Sherife of any other countie next adioyning, according to the foreſaid Stat. of 6.H.8. 5.E.6.26.) And euerie ſuch writ of Proclamation ſhall haue the ſame Teſte, and day of returne, as the Exigents, whereupon euerie ſuch writ of Proclamation ſhall be awarded, ſhall haue: & euerie Sherife to whom any ſuch writ of Proclamation ſhalbe directed, ſhall make Proclamation of the ſaid writ of Proclamation, according to the tenor of the ſame, and ſhall make true returne of the ſame in ſuch Court, and before ſuch Juſtices, as the tenor of the ſame writ ſhall require. And all Outlawries pronounced or promulged againſt any perſon vpon any ſuch Exigent awarded againſt any perſon dwelling in any of the ſaid Counties, and no writ of Proclamation awarded in forme abouеſaid to the Sherife of the Countie, where the partie defendant ſhalbe dwelling, or not returned, ſhall bee void. 1.E.6.10. 5.E.6.26.

7 Euerie Sherife of euery of the ſaid Counties of Wales, & the Counties Palantine of Lancaſter, Cheſter, & of the citȳ of Cheſter, ſhal haue in euery of ȳ courts of the K. Bench, and Common pleas, one ſufficient Deputy at the leaſt, to receiue all writs directed to ſuch Sherife, for whom the ſame deputie or deputies ſhall bee appointed, in like maner and forme, and vpon like paines, as by the laws and ſtat. of this Realme other Sherifes of other Shires, within this Realme of England be bound to haue in either of the ſame Courts. And all writs of Proclamation ſhal be deliuered vnto euery ſuch deputy of Record, in the ſame Courts. And alſo like fees ſhall be paid for making euery ſuch writ of Proclamation, and for the inrolling of the ſame of record, as is before limited in the ſtat. of 6.H.8. 1.E.6.10. 5.E.6.26. 23.H.6.10. S. Sherifes 10. Wales 49.

Theſe Sherifs ſhall haue deputies in the Common place and K. Bench.

8 If any ſuch writ of Proclamation directed to any of the Sherifs of any of the ſaid ry. Shires in Wales, or Counties Palantine &c. be deliuered to any of the ſaid Sherifes, or to his deputy, and the ſame Sherife doe not make true returne thereof into ſuch Court, out of the which the ſaid writ of Proclamation ſhall bee awarded, he ſhall forf. for euery default or non-returne to the K. and I.d.l. to bee recouered by A. wherein no W. ſt. C.P. ſt. 1.E.6.10. 5.E.6.26.

The Sherifes forf. for not returning a writ of Proclamation.

9 If any perſon dwelling in any of the ſaid Counties in Wales, ſhalbe outlawed in any ſuit or action aforeſaid, then writs of ſpeciall Capias vtlagatum, ſingle Capias vtlagatum, Non moleſtandum, & all other proces for and againſt any perſon outlawed, ſhall & may be directed to the Sherife of any of the ſaid Counties in Wales, as immediat officers of the Courts of the K. Bench, or Common pleas in that behalfe. And euery ſuch writs may be deliuered of record to the deputy of ſuch of the ſaid Sherifes, to whom any ſuch writ or proces ſhalbe directed. And euerie ſuch Sherife ſhall make execution & returne of euerie ſuch writ or proces to him directed, vpon paine of forf. to the K. and his heirs ſuch amerciaments, as by the diſcretion of the I. before whom ſuch writ ſhalbe returnable ſhalbe ſet. 1.E.6.10.

Proces againſt perſons outlawed.

10 If any perſon dwelling in the Countie Palantine of Lancaſter, ſhalbe outlawed in any ſuch ſuit or action, as is aforeſaid, then all writs of ſpeciall Capias vtlagatum, ſingle Capias vtlagatum, Non moleſtandum, and all other proces for, or againſt any perſon ſo outlawed, ſhall and may be directed to the Chauncelor of the Duchy of Lancaſter, who ſhall make like writs and proces thereupon, and of like effect, ſealed with the ſeale of the ſaid Countie Palantine of Lancaſter, to bee directed to the Sherife of the ſaid Countie Palantine for the time being, as it hath bin vſed in ſuch caſes. 5.E.6.26.

Proces directed to the Chancelor of the Duchie.

11 But theſe two Statutes, nor any thing in them contained, ſhall extend, or be preiudiciall to any Lord Marcher in Wales, nor to any of their heirs, nor to the

ſaid

ſaid twelue Counties of Wales, nor to the ſaid Counties Palantine of Lancaſter, Cheſter, or the Citie of Cheſter, concerning ſuch liberties, franchiſes, or priuiledges, as belong to any of them, nor to any Miniſters or Officers of any of them, in other maner then by the true meaning of theſe Acts is declared. 1.E.6.10. 5.Ed.6.26.

Exigent vpon the Statute of Liueries.

12 No Exigent ſhall be awarded by the Juſtices within the Counties Palantine of Lancaſter or Cheſter, or the Biſhopricke of Durham, againſt any perſon, vpon any information, ſuit, or proces, to be made by force of the Stat. prouided 8. E.4. againſt giuing of Liueries or badges, and retaining. And if any Exigent be awarded, and Outlawrie thereupon pronounced, then the ſame ſhall be void, without any ſuit by writ of Error, or otherwiſe. 8.E.4.2.

Proclamation in perſonall actions.

13 In euery action perſonall, wherein any writ of Exigent ſhall bee awarded out of any Court, one writ of Proclamation ſhall be awarded and made out of the ſame Court, hauing day of Teſte and returne, as the ſaid writ of Exigent ſhall haue, directed and deliuered of record to the Shiriſe of the Countie, where the defendant, at the time of the Exigent ſo awarded, ſhalbe dwelling, which writ of proclamation ſhall containe the effect of the ſame action. And the Shirife of the county vnto whom any ſuch writ of Proclamation ſhalbe directed, ſhall make three proclamations in this forme following, and not otherwiſe: that is to ſay, one of the ſame proclamations in the open Countie court, one other of the ſame proclamations, at the generall Quarter Seſſions of the peace in thoſe parts where the partie defendant at the time of the Exigent awarded ſhall be dwelling, And one other of the ſame proclamations ſhalbe made (one moneth at the leaſt before the quint, exact. by vertue of the ſaid writ of Exigent) at, or neere the moſt vſuall dore of the Church or Chappell of that Towne or Pariſh, where the defendant ſhalbe dwelling at the time of the ſaid Exigent ſo awarded: And if the defendant ſhall be dwelling out of any pariſh, then in ſuch place, as aforeſaid, of the pariſh in the ſame Countie, & next adioyning to the place of the defendants dwelling, & vpon a Sunday immediatly after Diuine Seruice & Sermon (if any Sermon there be) and if no Sermon there be, then forthwith after Diuine Seruice. And all Outlawries had and pronounced, and no writ of Proclamation awarded and returned according to the forme of this ſtatute, ſhall bee vtterly void and of none effect. And the Officer in whoſe office ſuch Writs of Exigent and Proclamation ſhall be made, ſhall and may take ſuch fees, as by the ſtat. made 6.H.8 (S.5.) is limited and appointed in that behalfe, and no greater fees in any wiſe. And the Sheriſe for making of the Proclamation at or neere to the Church or Chappell dore as is aforeſaid, ſhall haue xy. ſ. 31.Eliz.3.

The defendāt vpon a writ of Error, bound to anſwer the plaintife, and to ſatiſfie the condemnation

14 Before any allowance of any writ of Errour, or reuerſing of any outlawrie be had, by plea or otherwiſe, through, or by want of any proclamatiō to be had and made, according to the forme of this Statute, The defendant & defendants in the originall action, ſhall put in baile, not onely to appeare, and anſwer the plaintife in the former ſuit, in a new action to be commenced by the ſaid plaintife, for the cauſe mentioned in the firſt action, but alſo to ſatiſfie the condemnation, If the plaintife ſhall begin his ſuit before the end of two Termes next after the allowing of the writ of Error, or otherwiſe auoiding of the ſaid Outlawrie. 31.Eliz.3.

A writ of Proclamation vpon an Exigent againſt any perſon dwelling in the biſhoprick of Durham.

15 Whenſoeuer any writ of Exigent ſhal be awarded at the ſuit of the Queenes heires or ſucceſſors, Kings or Queens of this Realme, or at the ſuit or ſuits of any other perſon or perſons, plaintife or plaintifes, in any action or ſuit in any of the Courts of the Kings Bench, or Common place, againſt any perſon or perſons, dwelling within the Biſhopricke of Durham, Then immediatly vpon the awarding of euerie ſuch Exigent, the Juſtice or Juſtices before whom any ſuch writ of Exigent vpon ſuch ſuit or action ſhall bee ſued, ſhall haue authoritie by vertue of

this

this Act, to award one writ of Proclamation, according to the tenor and effect of Writs of Proclamation awarded vpon Exigents (and commonly directed out of any of the said Courts into London, or into any other Shires of this Realme, against any other person or persons, dwelling in other shire or shires of this realme, where the Queens writ doth run, according to the order and forme of the Act made 6. H. 8.) to be directed to the Bishop of Durham for the time being, and during the vacation of the Bishopricke, then to the Chancelor of the said Bishopricke, or countie Palantine for the time being, where it shall happen the said defendant, against whom any such action shalbe sued, as is aforesaid, to be dwelling, and not the Sherife of any other Shire nert adioyning to the said Bishoprick, or Countie Palantine (any law, custome, or vsage, heretofore vsed to the contrary notwithstanding.) And euery such writ of Proclamation so to be hereafter awarded, to such Bishop, or Chancelor of the said Bish. or Countie Palantine, shal haue the same Teste, and day of returne as the Exigents whereupon euery such writ of Proclamation shall be awarded, shal haue. And euery such Bish. or Chancelor, to whom any of the said writ or writs of Proclamation shall be directed, shall by his or their Mandat, directed to the Sherife of the said Countie Palantine, cause Proclamation to be made of the same writs of Proclamation, according to the tenor of the same, & shall make true returnes of the same, in such Court and Courts, and before such Iustices, as the tenor of the same writ and writs of Proclamation shall require and demand. And all Outlawries hereafter to bee promulged, or pronounced against any person or persons vpon any such Exigent, or Exigents, awarded against any person or persons dwelling within the said Bishopricke, or Countie Palantine, and no Writs of Proclamation awarded in forme aforesaid to the Bishop, or Chauncelor aforesaid, where the partie defendant shall bee, as is aforesaid, dwelling, or not returned as aforesaid, shall be clerely void, and of none effect nor force in the law. 31. El. 9.

16 Euerie Bishop of the said Bishopricke, for the time being, and during the vacation of the said Bishopricke, the Chauncelor of the said Countie Palantine for the time being, shall haue in euerie of the said Courts of the Kings Bench, and Common pleas, one sufficient deputie at the least, to receiue all such writs of Proclamations, which shalbe hereafter directed to euerie such bishop or Chauncelor of the said bishoprick, or Countie Palantine, for whom the same deputie or deputies shalbe appointed, in like maner & forme, & vpon like paines, as by the former Stat. and Lawes of this Realme, the Sherifes of other Shires or Counties, within this Realme of England, be bound to haue in either of the same Courts. And all such writs of Proclamation as aforesaid shalbe deliuered vnto euery such deputy or deputies of Record in the same Courts and either of them, and also the like fees shall be paid for making of euery such writ of Proclamation, and for inrolling the same of Record, as is limited in the same Statute made. 6. H. 8. 31. El. 9. S. 5.

The bishop of Durham shall haue a deputie in certaine Courts.

17 If any such writ or writs of Proclamation, directed to the Bishop or Chancelor of the said Bishopricke or Countie Palantine, be deliuered vnto any of the said Bishops for the time being, or (during the vacation of the said Bishoprick) to the Chauncelor of the said Countie Palantine for the time beeing, or to his or their deputie or deputies in manner and forme aforesaid, and the same Bishop for the time being, or (during the vacation of the said Bishopricke) the said Chauncelor of the said Countie Palantine for the time being, do not make true returne of euerie such writ and writs of Proclamation to them directed, into such Court and Courts, out of which the said writ or writs of Proclamation shalbe awarded: For euerie such default of Non-returne, euery such Bishop for the time being, and (during the vacation of the said sea) the said Chancelor for the time being, so failing to make due returne, shal forf. v. l. to the Qu. and I. to be recouered by A. of debt to be

The penaltie if the Bishop or Chancelor do not returne the proclamation.

grounded vpon this Act, wherein no C. P. &c. 31. Eliz. 9.

Prouiſion for the Biſhops liberties.

18 This Act ſhall not extend or be preiudiciall to any Biſhop of the ſaid biſhopricke of Durham, for or concerning ſuch Liberties, Franchiſes, or Priuiledges as belong to the ſame Biſhops biſhopricke, or ſea, or to any Miniſters or Officers of the ſame biſhopricke or Countie Palantine, otherwiſe, or in any other manner, then by the true meaning of this Act is before prouided or declared: Any thing in this &c. notwithſtanding. 31. El. 9.

To whom writs of Outlawrie &c. ſhall be directed againſt anyperſon within the Biſhopricke.

19 If any perſon or perſons dwelling within the ſaid Biſhopricke, or Countie Palantine, ſhall be outlawed in any ſuit or action, wherein Proces of Outlawrie doth lye, then all writs of ſpeciall Capias vtlagatum. ſingle Capias vtlagatum, Non moleſtandum, and all other proces, for or againſt any perſon or perſons ſo outlawed, ſhall and may from henceforth be directed from time to time, to the biſhop of the ſaid biſhopricke and Countie Palantine for the time being, and (during the vacation of the ſaid Sea) to the Chancelor there for the time being, who ſhall make like writs and proces thereupon, and of like effect, ſealed with the ſeale of their ſaid Offices, to be directed to the Sherife of the ſaid Countie Palantine for the time being, as heretofore hath been vſed and accuſtomed in ſuch caſes. 31. El. 9.

One fee for the Proclamation & Mandat.

20 Vpon any writ of Proclamation to be awarded by vertue of this Act, and the Mandat thereupon to be made to the Sherife, and the execution thereof, there ſhall be but one onely fee taken, receiued, or demanded for the ſame, by the ſaid Biſhop, Chauncelor, and Sherife of the ſaid Countie Palantine for the time being. 31. El. 9.

1 No Exigent ſhalbe awarded againſt the acceſſarie, vntill the principall bee attainted. S. Appeales 3.

2 Where an Exigent is to be awarded, there ſhall be addition to the defendants name. S. Addition 1.

3 Proces of Outlawrie awarded againſt offendors in Treaſon, being out of this Realme, ſhalbe good. S. Treaſon 11.

4 Where one that is ſuppoſed to bee outlawed, ſhall auoid the ſeiſure of his lands and goods, by entring into bond to the Sherife &c. S. Sherifes 23.

5 The Indictee ſhall forfeit his Cattels by Exigent againſt him awarded. S. Indictments 5.

6 Where an Exigent ſhalbe awarded againſt an Accomptant. S. Accompt 2.

7 Outlawrie of the plaintife in Attaint in a perſonall action, or cauſe, is no plea. S. Attaint 3.

S. 18. Ed. 3. Declaration of Exigents.

Extortion. Exaction.

Officers.

IF any Sherife, Coroner, or other Officer of the Kings, do take any thing to doe his Office, but onely that which the King alloweth him, he ſhall render double to the partie, and ſhall bee puniſhed at the Kings pleaſure. Weſtminſt. 1. 3. Edw. 1. 26.

Serieant, Crier, Marſhall.

2 If the Serieant, Crier, or Marſhal of any Iuſtice do wrongfully take money of any which doth recouer land, obtaine his ſuit, leuie a fine, or proſecute any ſuit, touching any plea of the Crowne, he ſhall be puniſhed at the Kings pleaſure, and yeeld treble damages to the partie grieued. And if he be a Serieant of fee, his office ſhalbe ſeiſed into the Kings hands. Weſt. 1. 3. E. 1. 29.

Sherifes.

1 For Extortion by the Sherife, Baylife, &c. for arreſting, for letting to bayle, making of Panels, or granting of Copies. S. Sherifes 6. 7. 8. 9.

Auditors. Receiuers.

2 For Ex. by Auditors, or their Clerkes. S. Auditors &c. 2.

3 For Ex. by Receiuers, or their Deputies. S. Auditors 3.

4 For

4 For Ex. by them which make diſpenſations, faculties, licences, or other ſuch inſtruments. S. Diſpenſations 1. — Diſpenſatiõs.

5 For Ex. by them which haue ſpirituall iuriſdiction, or any ſubſtitute or miniſter of theirs for Citations. S. Citation 3. — Iudges Spirituall.

6 For Ex. by the Clerke of the Signet or priuie Seale. S. Clerke of the Signet 8. — Clerke of the ſignet.

7 For Ex. of Maſters, Wardens of Fellowſhips or Crafts, vpon any Apprentice, or other, whoſe Prentiſhip is expired, S. Corporations 4. — Wardens of Fellowſhips.

8 For Ex. by any Coroner. S. Coroner 15. — Coroner.

9 For Ex. by thoſe which haue Commiſſions to leuie Muſters, or make men ſerue in the warre. S. Captaines &c. 14. — Muſter maſters.

10 For Ex. by Clerkes of the Exchequer, of any Biſhop, or other, that hath the receit of Tenths. S. Exchequer 2. — Clerks of the Exchequer.

11 For Ex. in Wales for gathering of Commorths without the Commiſſioners of the Marches conſent. S. Wales 104. — Wales.

12 For Ex. vpon thē which trauaile through forreſts in Wales. S. Wales 112. — Wales.

13 For Ex. by Eſchetors, finding Offices of lands. S. Eſchetors 3. 9. — Eſchetors.

14 For Ex. in the chiefe Clerke of the Common place, for the entring of the cõcord of any fine. S. Chirographer 2. — Cuſtos breuiũ.

15 For Ex. in the Chirographer of the Common place, his Deputie, or Lieutenant. S. Chirographer 1. — Chirographer

16 For Ex. by the Admirall, or any Officer of the Admiraltie, of any marchant or fiſherman for licence &c. S. Fiſh 2. — Admirall.

17 For Ex. by the Officers of the Court of Wards and Liueries. S. Wards 28. — Wards.

18 For Ex. in ſuch as take any thing for the report of any cauſe referred vnto thē. S. Iuſtice 2. — Reports.

19 For Ex. in the Marſhall or any of his Officers. S. Marſhall 6. — Marſhall.

20 For Ex. taken by the head Officers of any borough of marchants, for Scauage and Shewage. S. Marchants 2. — Officers of Boroughes.

21 In what ſort Ordinaries ſhalbe indicted of extortion or oppreſſiõ. S. Ordiñ 2. — Ordinaries.

22 For Ex. by Ordinaries for prouing of Wils, or committing of Adminiſtration. S. Probate of Teſtament 12. — Ordinaries.

23 For Ex. in the Maior, Recorder, Steward, or Iuſtice of Peace in Norwich, for admitting any perſon to occupie the arts of making Hats, Couerlets, or Dornikes. S. Hats 1. Couerlets 8. — Norwich.

24 For Ex. for taking, writing, inrolling, or certifying a Recogniſance in nature of a ſtatute Staple. S. Statutes 13. — Recogniſance.

25 For Ex. by Clerkes of the Market. S. Clerke of the Market 1. — Clerke of the Market.

26 For Ex. in taking money for obligations or acquitances for firſt fruits. S. Eccleſiaſticall perſons 25. — Firſt fruits.

Faires and Markets.

THey which haue Faires by Charter, or otherwiſe, ſhall hold them no longer than they ought to doe, vpon paine of ſeiſure of the ſame to the King, vntill they haue made fine vnto him for the ſaid offence. And euery owner of a Faire, ſhal proclaime at the beginning thereof, how long it ſhall laſt, and after the ſaid time euery Marchant ſhall ſhut vp his Booth, and Stall, and if any Marchant doe ſell any ware or marchandize at the ſaid Faire, after the ſame be ended, hee ſhall forfeit the double value of that which he hath ſold, to the King &c. And euery one that will ſue for the King, ſhall be receiued, and ſhall haue the fourth part of that which is ſo loſt at his ſuit. 2. Ed. 3. 15. 5. Ed. 3. 5. — No man ſhall kepe a Faire longer then he ought.

2 If any Faires or Markets be kept vpon good Friday, Corpus Chriſti day,

Certain daies wherin faires and markets may not be kept.

Aſcention day, all Saints day, the day of the Aſſumption of our Ladie, Whitſunday, Trinitie Sunday, or other Sunday (the foure Sundayes in Harueſt excepted) and any goods or Marchandize in them be ſhewed (neceſſarie victual onely excepted) the owners ſhall forfeit all their goods ſhewed, to the Lord of the Liberty, or Franchiſe, where ſuch goods contrarie to this Ordinance ſhalbe ſhewed. But they which haue no power to keepe Faire or Market, but vpon ſuch dayes, may keepe it within three dayes before or after any of the ſaid Feaſts, after Proclamation firſt made, what day the Faire ſhall be holden. 27.H.6.5.

In euerie Court of Pipowders the ſt. ſhal be ſworne &c.

3 If any Steward, Vnderſteward, Bailife, or other Officer or Miniſter of any Court of Pipowders, pertaining to a Faire, will hold plea vpon an Action, at the ſuit of any perſon, vnleſſe the plaintife or his Atturney do in preſence of the defendant ſweare vpon the holy Euangeliſts vpon his declaration, that the contract, or other fact contained in the declaration, was made or committed within the time, iuriſdiction, and bounds of the ſame Faire, he ſhall forfeit C. ſ. to the King and him that wil ſue by Action of Debt: for if the plaintife refuſe the foreſaid othe, the defendant ought to be diſmiſſed out of the ſame Court, and the plaintife ſhall take his remedie at the Common Law &c. But though the plaintife do affirme the ſame, yet the defendant ſhall not be concluded, but ſhall anſwer and plead to the action, or in abatement of the plaint, and proffer an iſſue, that the ſame contract, treſpaſſe, or other fact was not committed within the time of the Faire, or Iuriſdiction of the ſame, but elſewhere &c. But this Statute ſhall not preiudice the Biſhop of Durham, or his Succeſſors, within the liberties of his ſaid Biſhopricke. 17.E.4.2. 1.R.3.6.

A place appointed for Horſe Faire.

4 If the Owner, Gouernor, Farmer, Steward, Bailif, or chiefe Keeper of any Faire or Market ouert, where Horſes, Mares, Geldings, and Colts haue been and ſhall be vſed to be ſold, do not yearely appoint one ſpeciall open place, within the Towne, place, field, or circuit, where horſes, mares, geldings, or colts ſhall be ſold, and alſo one ſufficient perſon or more to take toll, and to continue in the ſame place from ten of the clocke in the forenoone, vntill the Sunne be ſet daily, during the continuance of the ſaid Faire, he ſhall forf. for euery default vl. ſ. to the Qu. and I. to be recouered before the Juſtices of peace, or by A. I. &c. wherein no W. &c. E. P. &c. 2. & 3. P. & M. 7.

When, where, and of whom toll for horſes ſhalbe taken.

5 The Toll gatherer of euerie Faire or Market, ſhall take his lawfull Toll for euerie horſe, mare, gelding, and colt ſold, exchanged, or put away in the ſaid Faire &c. and at the open place appointed for the ſale of horſes, betwixt the houres of x. in the forenoon, and the Sunne ſet, if it be tendered, and at no other time or place, and ſhall haue before him the parties to the bargaine, at the taking of the Toll, and alſo the horſe &c. ſold, and ſhall write the names, ſirnames, and dwelling places of the parties, and the colour, and one ſpeciall marke of the horſe, or elſe he ſhall forfeit for euery default vl. ſ. to the Qu. and I. to be recouered before the Juſtices of P. or by A. I. &c. wherein no W. &c. E. P. &c. For the ſale of any ſtollen horſe &c. in a Faire or Market, ſhal not take away the property from the owner therof, except the ſame horſe be openly ridden, led, walked, driuē, or kept ſtanding by the ſpace of one houre at the leaſt, betweene ten of the clocke in the morning, and the Sunne ſet, in the open place of the Faire, where Horſes are commonly vſed to be ſold, and not in any houſe, yard, backſide, or other ſecret place, and vnleſſe all the parties to the bargaine being preſent in the ſaid Faire &c. ſhall come together, and bring the horſe ſo ſold, to the open place appointed for the Toll-taker, or Booke-keeper, and there enter their names and dwelling places, and the colour, and one ſpeciall marke of the Horſe, and pay the Toll for the ſame, if any bee payable in that Faire, or elſe the buyer to giue a peny for entring &c. for where Toll is not due by reaſon of the Liberties of any Faire or Market, the Keeper of the Booke ſhall not exact aboue a

The vſing of a ſtollen horſe to take away the owners propertie.

peny

peny for a contract. And if any Horſe, Mare, Gelding, or Colt, theeuiſhly ſtollen or taken away, bee ſold, giuen, exchanged, or put away in any Faire or Market, and not vſed in all points, as is aforeſaid, then the owner thereof may take againe the ſame, or haue an Action of Detinue or Replenin for the ſame Horſe &c. 2. & 3. P. & M. 7.

6 The Toll gatherer or keeper of the Booke, ſhall within one day next after euerie Faire or Market ended, bring and deliuer his Booke to the Owner, Steward, Baylife, or Chiefe Gouernour of the Faire &c. who ſhall cauſe a note to bee made, of the number of all Horſes &c. ſold at the ſaid Faire, and ſhall ſubſcribe his name, or ſet his marke thereunto. And who ſo maketh default, ſhall forfeit for euerie offence xl. s. to the Queene and Inf. to be recouered before the Iuſtices of P. or by A. I. &c. wherein no W. &c. E. P. &c. and alſo ſhall anſwere the partie which is grieued by his negligence in euerie behalfe. 2. & 3. P. & M. 7. S. Iuſtices of Peace 53.

A note of all horſes ſold in a Faire.

7 No perſon ſhal in any Faire or Market ſell, giue, exchange, or put away any Horſe, Mare, Gelding, Colt, or Fillie, vnleſſe the Toll-taker there, or (where no Toll is paied) the Booke-keeper, Bailife, or chiefe Officer of the ſame Faire or Market, ſhall & will take vpon him perfect knowledge of the perſon that ſo ſhal ſel, or offer to ſell, giue, or exchange any Horſe &c. and of his true Chriſtian name, ſirname, and place of dwelling, or reſiancie, and ſhall enter all the ſame his knowledge into a Booke there kept for ſale of Horſes: Or elſe that hee ſo ſelling or offering to ſell, giue, exchange, or put away any Horſe &c. ſhall bring vnto the Toll-taker, or other Officer aforeſaid of the ſame Faire or Market, one ſufficient and credible perſon, that can, ſhall, or will teſtifie and declare vnto, and before ſuch Toll-taker, Booke-keeper, or other Officer, that he knoweth the partie that ſo ſelleth, giueth, exchangeth, or putteth away ſuch Horſe &c. and his true name, ſirname, myſterie, and dwelling place, and there enter, or cauſe to bee entred in the booke of the ſaid Toll-taker, or Officer, as well the true Chriſtian name, and ſirname, myſterie, and place of dwelling, or reſiancie, of him that ſo ſelleth, giueth, exchangeth, or putteth away ſuch Horſe &c. as of him that ſo ſhall teſtifie or auouch his knowledge of the ſame perſon, and ſhall alſo cauſe to bee entred the verie true price or value that he ſhall haue for the ſame horſe &c. ſo ſold. And no perſon ſhall take vpon him to auouch, teſtifie, or declare, that he knoweth the partie that ſo ſhal offer to ſell, giue, exchange, or put away ſuch horſe &c. vnleſſe he doe indeed truely know the ſame perſon, and ſhall truely declare to the Toll taker, or other Officer aforeſaid, as well the Chriſtian name, ſirname, myſterie, and place of dwelling and reſiancie of himſelfe, as of him, of, and for whom he maketh ſuch teſtimony & auouchment. And no Toll-taker, or other perſon keeping any Booke of entry of ſales of Horſes in Faires or Markets, ſhall take or receiue any toll, or make entrie of any ſale, gift, exchange, or putting away of any horſe &c. vnleſſe he knoweth the partie that ſo ſelleth, giueth, exchangeth, or putteth away any ſuch horſe &c. and his true Chriſtian name, ſirname, myſterie, and place of his dwelling, or reſiancie, or the partie that ſhall and will teſtifie and auouch his knowledge of the ſame perſon ſo ſelling, giuing, exchanging, or putting away ſuch horſe &c. and his true Chriſtian name, ſirname, myſterie, and place of dwelling or reſiancie, and ſhall make a perfect entry into the ſaid booke of ſuch his knowledge of the perſon, and of the name, ſirname, myſterie, and place of the dwelling or reſiancie of the ſame perſon, and alſo the true price or value that ſhall be bona fide, taken or had for any ſuch horſe, &c. ſo ſold, giuen, exchanged, or put away, ſo farre as hee can vnderſtand the ſame, and then giue to the partie ſo buying, or taking by gift, exchange, or otherwiſe, ſuch horſe &c. requiring and paying two pence for the ſame, a true and perfect note in writing, of all the full contents of the ſame, ſubſcribed with his hand, on paine

The ſeller of the horſe muſt be knowne.

Auouching of a horſe ſeller.

What ſhalbe entred into the toll booke.

A note in writing deliuered to the buyer.

that euery perſon that ſo ſhall ſell, giue, exchange, or put away any horſe &c. without being knowne to the Toll-taker, or other Officer aforeſaid, or without bringing ſuch auoucher, or witneſſe, cauſing the ſame to be entred, as aforeſaid, and euerie perſon making any vntrue teſtimonie or auouchment in the behalfe aforeſaid, and euerie Toll-taker, Booke-keeper, or other Officer of Faire or Market aforeſaid offending in the premiſſes, contrarie to the true meaning aforeſaid, ſhall forfeit for euerie ſuch default x.ſ. but alſo that euery ſale, gift, exchange, or other putting away of any horſe &c. in Faire or Market, not vſed in all points, according to the true meaning aforeſaid, ſhall be void. The halfe of which forfeiture ſhall be to the Q. &c. and the other to him that will ſue for the ſame before the Iuſtices of peace, or in any of her Maieſties ordinarie Courts of Record, by A. of debt, B. P. or I. wherein no E. P. &c. 31. El. 12.

The owner may redeme his ſtollen horſe within 6 moneths, paying the price.

8 If any Horſe, Mare, Gelding, Colt, or Fillie, ſhall be ſtollen, and after ſhalbe ſold in open Faire or Market, and the ſame ſale ſhal be vſed in all points and circumſtances, as aforeſaid, yet neuertheleſſe the ſale of any ſuch horſe &c. within ſix moneths next after the felonie done, ſhal not take away the propertie of the owner from whom the ſame was ſtollen, ſo as claime be made within ſix moneths by the partie from whom the ſame was ſtollen, or by his Executors or Adminiſtrators, or by any other by any of their appointment at or in the Towne or Parith where the ſame horſe &c. ſhall be found before the Maior, or other head Officer of the ſame Towne or Parith, if the ſame horſe &c. ſhall happen to be found in any Town corporat, or Market Towne, or elſe before any Iuſtice of P. of that Countie nære to the place where ſuch horſe &c. ſhalbe found, if it be out of Towne corporat, or Market Towne, and ſo as proſe be made within xl. dayes then next enſuing, by two ſufficient witneſſes to be produced and depoſed before ſuch head Officer or Iuſtice (who by vertue of this Act ſhall haue authoritie to miniſter any othe in that behalf) that ỳ property of the ſame horſe &c. ſo claimed, was in ỳ party, by, or for whõ ſuch claim is made, & was ſtollen from him within ſix moneths next before ſuch claim of any ſuch horſe &c. But the partie from whom the ſaid horſe &c. was ſtollen, his Executors or Adminiſtrators ſhal & may at all times after, notwithſtanding any ſuch ſale or ſales in any Faire or open Market, thereof made, haue propertie & power to haue take, againe, and enioy ỳ ſaid Horſe &c. vpon paiment, or readineſſe, or readie to pay to the partie that ſhall haue the poſſeſſion & intereſt of the ſame horſe &c. if he will receiue and accept it, ſo much money as the ſame partie ſhal depoſe and ſweare before ſuch head officer or Iuſtice of peace (who by vertue of this Act ſhall haue authoritie to miniſter and giue an Othe in that behalfe) that hee paid for the ſame bona fide without fraud or collution: any law, Stat. &c. notwithſtanding. Not onely all accellories before ſuch felonie done, but alſo all accellories after ſuch Felonie, ſhall be depriued and put from all benefit of their Clergie as the principall by Statute heretofore made, is, or ought to bee. 31. Eliz. 12. S. Clergie 13. Iuſtices of peace 65.

Accelloris to Felonie.

A ſeale for euerie Faire.

9 S. Statute de Mercatoribus 13. Ed. 1. The King ſhal prouide a ſeale for Fairs, and the ſame ſhalbe ſent vnto euerie Faire vnder the kings ſeale, by a clerk ſworn or by the keper of the Faire.

Churchyards

10 S. Statute Wincheſter 13. Ed. 1. 6. Faires nor Markets ſhall bee kept in the Churchyards, for the honour of the Church.

Londoners may carry their wares to any Faire or market.

11 Euerie Free man & Citizen of the Citie of London, may lead, carrie, or goe with his victuall, ware, or marchandize whatſoeuer it be, to any Faire or Market within England: any Stat. or ordinance made or to be made within London, to the contrary notwithſtanding. And if any perſon do cauſe another to be preiudiced by any Stat. or ordinance made or to be made in London to the contrary, hee ſhall forfeit to the K. and I. x.ſ. to be recouered by A. of debt, wherein no W. &c. 3. H. 7. 9.

1 Who may buy Cattell onely in the Faire and Market, and who elſewhere. S. Cattell 2.

2 Lords of Faires and Markets ſhall appoint Searchers and Sealers of Leather. S. Leather 26.

3 The ſelling of ſtolen Cattell in a Faire or Market in Wales, ſhall not alter the propertie. S. Wales 72.

Falſe Iudgement.

NOne (but the King) ſhall hold plea in his Court, of falſe iudgement giuen in the Court of his tenants: for ſuch pleas doe ſpecially belong to the Kings Crowne and dignitie. Marleb. 52. H. 3. 20.

2 If a Record come into the Court by a Writ of falſe iudgement, if in caſe the partie doe ſay, that the record is otherwiſe then the Court doth record, the auerrement ſhall bee receiued of the Countrey, and of them that were preſent in the Court when the record was made, if they doe come with others of the Countrey by the Sheriffes returne, & if they come not, the Enqueſt ſhall be taken by the Countrey. 1. Ed. 3, 4.

Farmes.

IF any perſon doe take any ſeuerall Farmes, more then one, of any Manors, Lands, Tenements, Parſonages, or Tythes within the Iſle of Wight, whereof the Farme of them altogether ſhall exceed the ſumme of tenne markes yearely, the leſſee ſhall forfeit to the King for euery ſuch taking tenne pounds. 4. H. 7. 16. Farmes in the Iſle of Wight.

2 Whoſoeuer doth receiue or take in Farme for terme of life, years, or at will, by Indenture, copie of court roll, or otherwiſe, any moe houſes or tenements of husbandrie, whereunto any lands are belonging, in Towne, Village, Hamlet, or tything within this Realme, aboue the number of two ſuch holds or tenements, or hath or occupieth any ſuch holds ſo newly taken, to the number of two, except hee be dwelling within the ſame pariſhes where ſuch holds be, hee ſhall forfeit to the King and I. for euery weeke that hee ſhall haue, occupie, or take any profits of ſuch holds contrarie to this Act iij. ſhillings iiij. pence, to be recouered within one yeare next after ſuch offence committed, by A. I. &c. wherein no W. &c. E. P. &c. 25. H. 8. 13. No man ſhall take aboue two Farmes.

1 When lands ſeiſed into the Kings hands vpon an Enqueſt taken before an Eſthetor, may be let to farme, and to whom. S. Patents 17.

2 The Shirife ſhall not let to farme his Countie, his Bailiwikes, Hundreds, nor Wapentakes. S. Shirifes 5.

3 Eccleſiaſticall perſons may not take any farmes. S. Eccleſiaſticall 14. 16.

Felonie.

ALl men generally ſhall be readie at the commaundement and ſummons of the Sheriffes, and at the crie of the countrie, to purſue and arreſt Felons, when neede ſhall be, as well within Franchiſes as without, and they that will not, and thereof be attainted, ſhall make a grieuous fine to the King, and if default be found in the Lord of the Franchiſe, the King ſhall ſeiſe the franchiſe into his hands. And if default be in the bailife, he ſhall be one yeare impriſoned, and after make a grieuous fine, and if he haue not whereof, he ſhall haue two yeares impriſonment. And if the Shirife, Coroner, or any Baylife within ſuch Franchiſe, or without, for reward, or intreatie, or any affinitie, doe conceale, conſent, or procure to conceale the Felonies Euery man ſhall purſue Felons. Concealment or not attachment of felons.

Felonies done in their Liberties, or otherwise will not attach or arrest such Felons (whereas they may) or otherwise will not doe their offices for the fauour that they beare to such offendors, and be thereof attainted, they shal be one yere imprisoned, and make a grieuous fine. And if they haue not whereof to make fine, they shall be thre yeares imprisoned, West. 1. 3. Ed. 1. 9. Upon all Homicides, Burglaries, men slaine, or put in great danger, huy and crie shall be leuied, and euery man shall follow the huy and crie, and offendors steps, if it may be, and whosoeuer doth not, and is thereupon conuicted, shall be attached to appeare before the Iust. of gaole deliuerie, 3. Ed. 1. Officium Cor. S. Huy and Crie.

Huy and crie.

Persons suspected of felonie.

2 If any man suspect lewd persons (called Robertsmen, Masters, or Drawlatches) of any Manslaughters, Felonies, or Robberies, be it by day or night, they shall be incontinently arrested by the Constable of the Towne, and if it be within Fraunchise, deliuered to the Baylifes of the Fraunchise, and if in Gildable, to the Shirifes, and kept vntill the comming downe of the Iustices of Gaole Deliuerie, who shall proceed to the deliuerance of them. 5. Ed. 3. 14.

Felons refusing lawfull triall.

3 If notorious Felons which be openly knowne of euill fame, will not put themselues vpon Enquests of felonies which any man doth prosecute before the Iust. at the K. suit, they shall be put in strait and hard prison, as those which refuse the Law of the Realme. But this is not vnderstanded of prisoners, which be taken for a light suspition. West. 1. 3. Ed. 1. 12.

Paine fort and dure.

1 The keeper of a Forrest, Parke, or Warren, may kill him which cōmeth within his charge to do hurt, and will not yeeld. S. Forrests 4.

2 He which killeth a Felon, that attempteth to rob him, shall forfeit nothing. S. Forfeitures 1.

3 The Iustices may award a Writ of Restitution of stoln goods vpon the attainder of a Felon. S. Restitution 1.

4 The King shall haue Felons goods, and *Annum, Diem,* and *Vastum,* in their lands. S. Prerogatiue 16.

5 The Iustices of the K. Bench may remaund any Murtherer or Felon, and his Indictment to be tried in the countrey. S. Remouer 2.

6 The goods of him which is imprisoned for Felonie, shall not be seised, before he be attainted thereof. S. Sherifes 24.

7 What means may be vsed for the apprehension of Felons in one Countie, that be indicted in another. S. Indictments 2. 3.

8 Felonie in him which going ouer the Sea to serue a forraine Prince, doth not take the Oath, or enter into Obligation with sureties, according to the Statute. S. Recusants 47.

Sheepe.

9 Felonie in him who the second time doth send, or receiue sheep beeing aliue into a Ship, to be conueyed out of the K. dominions. S. Sheep 2.

Plague.

10 Felonie for any person hauing an infectious plague sore vpon him, to goe abroad, beeing commanded to the contrarie. S. Plague 4.

Mariage.

11 Felonie to marie a second husband, or wife, the first beeing aliue. S. Matrimonie 8.

Recusants.

12 Felonie in a Recusant who beeing commanded doth refuse to abiure the Realme, doth not depart, or returneth without licence. S. Recusants 19. 33.

Coniuration.

13 Felonie in practising of Coniuration, Witchcraft, Enchantment, Charme, or Sorcerie. S. Coniuration 1. 3.

Seruants.

14 Felonie in a seruant that doth imbesil his masters goods after his death, and doth not appeare to answere it when he shall be demanded. S. Executors 5.

Egyptian.

15 Felonie in one calling himselfe an Egyptian to continue in England or Wales a moneth. S. Egyptians 2.

Conspiracie.

16 Felonie in any of the Kings seruants sworne, to conspire to destroy the king, any

any Lord,or other ſworne to the Kings councell.S.Conſpiracie 4.

17 Felonie to rauiſh any woman,and carnally to know any woman childe vnder the age of ten yeares.S.Rape 1.2. Rape.

18 Felonie for any perſon to breake priſon, beeing therein for Felonie.S.Priſon 5. Breaking of priſon.

19 Felonie to take any maide,widow,or wife,hauing lands, or goods, and to receiue any ſo taken.S.Women 12. Taking a woman.

20 Felonie for a Iailor to make a priſoner in his ward to become an approuer. S.Priſons 2. A Iailor.

21 Felonie for a Clerke, or other perſon, to ſteale, or take away a Record &c. whereby iudgement ſhall be reuerſed.S.Records 4. Imbeſilling of a Record.

22 Felonie to finde a Hawke and not to bring it to the Shirife.S.Hawks 2. Hawkes.

23 Felonie for him which is entred of Record a ſouldier, not to come vnto,or to depart from his Captaine.S.Captaines 3. A ſouldier.

24 Felonie to hunt in a forreſt,parke,or warren,or with painted faces, and being examined to conceale the offence,or offendors.S.Hunting 4. Hunting.

25 Felonie for a Purueior to make purueiance for the Kings houſe without warrant: Or to take any carriage in other manner then is compriſed in his commiſſion: Or not to make his prouiſion by the appraiſement of the Conſtables, and foure honeſt men of the towne where &c.Or to take more than he doth deliuer to the kings houſe: Or to take more ſheepe before ſhare time,then be ſufficient &c. S. Purueiors 4.9.17.18,19. Purueiors.

26 Felonie in Maſons to make congregations and aſſemblies.S.Maſons. Maſons.

27 Felonie in cutting out the tongues, or putting out the eies of any of the kings ſubiects malitiouſly. S. Tongues &c. Cutting of tongues and eies.

28 Felonie to practiſe multiplying of gold or ſiluer.S.Multiplying. Multiplying.

29 Felonie in forging of Euidences,beeing once conuicted thereof before.S.Forging 4. Forgerie.

30 Felonie in raiſing of vnlawfull aſſemblies to the number of xij. or xl. or aboue, and not to depart within an houre,being commanded by Proclamation : And alſo in relieuing perſons ſo aſſembled.S.Riots 16.17.18.19.31. Rebellious aſſemblies.

31 Felonie in receiuing, releeuing, or comforting any Ieſuite, Prieſt, &c.beeing borne within this realme.S.Ieſuits 3. Ieſuites.

32 Felonie to take any perſon out of Cumberland, Northumberland, Weſtmerland,or the Biſhopricke of Durham to impriſon him, or carrie him elſewhere. S. Robberie 1.

33 Felonie by imbeſilling the kings ordnance,armour,or victuall, to the value of xx.ſhillings.S.Armour 3. Armour.

34 Felonie in a rogue beeing baniſhed by the Iuſtices of Peace to returne againe without licence.S.Vagabonds 4. Rogue baniſhed.

35 Felonie in a wandring ſouldier, or mariner, who doth not ſettle himſelfe to ſome lawfull courſe of life: Or ſhal not haue a teſtimonial vnder the hand of a Iuſtice of peace: Or hauing ſuch a Teſtimoniall wil exceed his time limited: Or which doth forge a Teſtimoniall: Or which beeing retained into ſeruice doth depart within his time. S.Mariners 4.5.6. A wandring ſouldier or mariner.

36 Felonie by poyſoning of any perſon.S.Murder 5. Poyſoning.

37 Felonie in committing Buggerie with mankind or beaſt. Buggerie.

38 Felonie of a ſeruãt(other than an apprentice)to go away with money, goods, &c.of his maſters,or miſtreſſes,of the value of xl.s.to the intent to ſteale it, or to defraud his maſter &c.of it, or to conuert it to his owne vſe.S.Stealing. An imbeſilting ſeruant.

39 Felonie for any perſon malitiouſly to breake vp or cut down any part of new Powddike in Marſhland in the Countie of Norfolke, otherwiſe called Olde field dike Breaking of Powdike.

dike in the Iſle of Ely in the county of Cambridge, or any other banke, being parcell of the rinde, and vttermoſt border of the ſame country of Marſhland, made for the defence of the ſame country of Marſhland, otherwiſe then in working vpō the ſame bankes and dikes for the repaire thereof. 22.H.8.11. 2.& 3. Ph.& M.19. S. Iuſtices of Peace 17.

Feſants, Partridges, Hares, &c.

Taking Feſants &c. with ſnares.

IF any perſon do take, or cauſe to be taken any Feſants or Partridges, by Nets, Snares, or other Engins, out of his owne Warren, vpon the freehold of another perſon, without the aſſent & ſpeciall licence of the owner, or poſſeſſor of the ſame, he ſhal forfeit. x.l. to the owner of the ground & the Informer, to be recouered by A.B. &c. 11.H.7.17.

Killing of Feſants or Partridges in the night.

2 No perſon ſhall take, kill, or deſtroy any Feſants or Partridges with any manner of Nets, Snares, Ginnes, Engins, rowſting, lowſſing, or other deuiſes whatſoeuer in the night time, vpon paine of forfeit. for euery Feſant ſo taken, killed, or deſtroyed, contrary to the true meaning of this act, xx.s. and for euery Partridge x.s. The which ſaid penalties, if euery perſon ſo offēding, do not pay within x. daies next after his or their conuiction, then to haue one months impriſonment, without baile or mainepriſe. And further, ouer & beſide ſuch forfeit. or impriſonment, to put in bond with good ſureties for the ſpace of y. yeres, that he ſhall not take, kil, or deſtroy any Partridges or Feſants, contrary to the true meaning of this act: The ſame bond to be taken by ſome J. of the Peace of the County where the ſaid offence ſhall be committed. The one halfe of all which ſaid ſeuerall forfeit. to be to the chiefe Lord or Lords of the Liberties, Lordſhips, or Manors, vpon & in which the ſame ſhall be ſo taken, killed, or deſtroyed, & the other moitie to ſuch perſon or perſons, as wil ſue for the ſame in any her Maieſties Courts of Record, by B.P. or J. wherin no Wa. E.P. &c. 23, El. 10.

A remedie where the lord doth diſpence with the forfeiture, or giue licence to offend.

3 Prouided alwayes, that if ſuch perſon, to whom the one halfe of the ſaid forfeit. is appointed for the taking, killing, or deſtroying of Partridges & Feſants, contrary to the tenor of this act, ſhall diſpence with, licence, or procure any taking, killing, or deſtroying of any Partridges or Feſants, contrary to the forme of this act: then all ſuch forfeitures and penalties, as ſuch perſon or perſons ſhould haue by vertue of this act, ſhalbe to the poore of the pariſh, where ſuch taking, killing, or deſtroying ſhalbe committed: and that to be leuied or recouered in manner & forme aforeſaid, by any one of the Churchwardens of the pariſh where the offence ſhal be cōmitted. 23. Eliz. 10.

Hawking in eared or codded corne.

4 No perſon or perſons ſhall hawke, or with his Spaniels hunt in any ground where corne or other graine ſhall then grow (except it be in his owne ground) at ſuch time as any eared or codded corne or graine ſhal be ſtanding & growing vpon the ſame, nor before ſuch time as ſuch corne and graine ſhal be ſhocked, cocked, hilled, or copped, vpon paine of forfeiture for euery time that hee ſhall ſo hawke or hunt as aforeſaid (without the conſent of the owner of the corne or graine) to ſuch perſon or perſons as ſhall be owner of the ſaid eared or codded corne or graine xl. ſhillings, and the ſame to be leuied and recouered in manner and forme aforeſaid. 23. Eliz. 10.

Taking Partridges & Feſants, and letting them go againe.

5 Prouided alwaies, that this act ſhall not in any wiſe extend to Lowbellers, Tramellers, or others, which ſhall vnwillingly happen to take any Partridges or Feſants by night vnder any Tramell, Lowbell, Roadnet, or other Engin: So as they and euery of them doe preſently loſe and let goe euery Feſant and Partridge ſo taken, and ſuffer them preſently to flie and go at large at the place where they ſhall happen ſo to be taken, without willingly killing, or wilfully hurting a-

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ny ſuch Feſant or Partridge ſo taken in maner of ſort: any in this Act &c. notwithſtanding. 23. Eliz. 10. S. Leets 17. Iuſtices of P. 38.

Deſtroying certain games or their egges.

6 All and euery perſon and perſons, which ſhall ſhot at, kill, or deſtroy, with any Gunne, Croſſebowe, Stonebow, or Long bowe, any Feſant, Partridge, Houſe doue, or Pigeon, Hearne, Mallard, Ducke, Teale, Wigeon, Grouſe, Heathcocke, Moregame, or any ſuch Foule, or any Hare: Or ſhall take, kill, or deſtroy, any Feſant, Partridge, Houſe doue, or Pigeon, with ſetting dogges and nettes, or with any manner of nettes, ſnares, engines, or inſtruments whatſoeuer, Or ſhall take the egges of any Feſant, Partridge, or Swannes, out of the neſtes, or willingly breake, ſpoile, or deſtroy the ſame in the neſt, Or ſhall trace, or courſe any Hares in the Snowe, or at any time take, or deſtroie any Hares, with Harepipes, Cordes, or any ſuch Inſtruments, or other engines, And the ſame offence or offences being proued by the confeſſion of the partie, or by the teſtimonie of two ſufficient witneſſes, vpon oath before two or moe Iuſtices of Peace of the ſame Countie, Citie, or towne Corporat, wherein the offence ſhall be committed, or the partie offending apprehended, ſhall be by the ſaid Iuſtices of Peace for euery ſuch offence committed to the common Gaole of the ſaid Countie, Citie, or towne Corporat, where the offence ſhall be committed, or the partie apprehended, there to remaine for three moneths, without baile or mainprize, vnleſſe that the offendor do, or ſhall forthwith vpon the ſaid conuiction paie, or cauſe to be paied to the Churchwardens of the ſaid pariſh where the ſaid offence ſhall be committed, or the partie apprehended, to the vſe of the poore of the ſaid pariſh, xx.s. for euery Feſant, Partridge, Houſe doue, Pigeon, Hearne, Mallard, Ducke, Teale, Wigeon, Grouſe, Heathcocke, Moregame, or for any ſuch foule, And for euery egge of Feſant, Partridge, or Swannes, and for euery Hare, which any, and euery ſuch perſon and perſons ſo offending and conuicted as aforeſaid, ſhall take, kill, or willingly deſtroy, contrarie to the true meaning of this Statute, Or after one moneth after his commitment, together with two ſufficient ſureties, become bound by Recognizſance in twentie pounds a peece to the Kings vſe, his heires and ſucceſſors, with condition that he the ſaid partie ſo offending, ſhall not at any time thereafter ſhote at, kill, take, or deſtroy, any of the ſaid games before mentioned, by any of the meanes aforeſaid: Which ſaid Recognizſances ſhall be taken by any two or more Iuſtices of Peace of the ſaid Countie, Citie, or Towne Corporat, where the offendor ſhall be ſo imprizſoned, as aforeſaid, and ſhal be returned to the then next Quarter Seſſions, and there to remaine of Record, as other Recognizſances taken for ỹ peace. 1. Iac. 27.

Keeping of Greyhounds, ſetting dogs, or nets.

7 All and euery perſon and perſons, which ſhall haue, or keep any Greyhound, for courſing of Deere, or Hare, or ſetting dogge or dogges, or net or nets, to take Feſants, or Partridges, (except ſuch perſon or perſons which ſhall bee ſeiſed in their owne right, or in the right of their wiues, of lands, tenements, or hereditaments, of the cleere yearely value of x. l. by the yeare or more, ouer and aboue all charges and rezziſes, of ſome eſtate of inheritance, Or of lands, tenements, or hereditaments, in his owne right, or in the right of his wife, for terme of life or liues, of the yearely value of xxx. l. ouer and aboue all charges and rezziſes, Or be poſſeſſed of goods and chattels to the full value of 200. pounds to his owne vſe, Or bee the ſonne or ſonnes of any knight, or of any Baron of Parliament, or of ſome perſon of higher degree, or the ſonne and heire apparant of any Eſquire) and being thereof conuicted as aforeſaid, ſhall by the ſaid Iuſtices of the peace bee committed and imprizſoned in manner and forme, as in and by this Act is before exprezſed: except ſuch perſon and perſons ſo offending, and thereof conuicted as aforeſaid, doe forthwith paie, or cauſe to be paid, to the churchwardens of the ſaid Pariſh, where the ſaid offence ſhall be committed, or the partie apprehended, to the vſe of the poore

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of the ſaid pariſh xl.s. of lawfull money of England. 1. Iac. 27.

Selling of Deere, Hare, Partridge, &c.

8 Euery perſon and perſons, which ſhall ſell, or buy to ſell againe, any Deere, Hare, Partridge, or Feſant, (except Partridges and Feſants reared and brought vp in houſe or houſes, or brought from beyond the Seas) ſhall forfeit for euery Deere ſo bought and ſold xl.s. for euery Hare x.s. for euery Partridge x. ſhillings, & for euery Feſant xx. ſhillings. Of all which forfeitures the one moitie ſhall be to him that will ſue for the ſame, by Bill of Indictment, or Information, And the other moitie to the poore of the pariſh, where the ſaid offence or offences ſhall be committed, And no perſon or perſons ſhall or may be puniſhed by force of any former Stat. or law, for any of the ſaid offences, for which by force of this law any puniſhment ſhall be inflicted. 1. Iac. 27.

The forfeitures.

Puniſhment by former lawes.

Who may take Feſants, or Partridges with nets.

9 It ſhall and may be lawfull for euery perſon or perſons, which haue or ſhall haue free warren, and to and for euery Lord of a Mano^r, and to euery freeholder, which is or ſhall be ſeiſed in his owne right, or in the right of his wife, of lands, tenements, or hereditaments, to the cleere yearely value of x. l. or more by the yeare, ouer and aboue all charges and repriſes, of ſome eſtate of inheritance, or of lands, tenements, or hereditaments, in his owne right, or in the right of his wife, for terme of life, or liues, of the yearely value of xx. l. ouer and aboue all charges and repriſes, Or be, or which ſhall be worth in goods or chattels 200. l. by him, or themſelues, or by his or their meniall ſeruants (ſufficiently authorized from his or their maſter for that purpoſe) to take Feſants and Partridges in the day time onely with nets, in and vpon his or their owne, or his or their maſters free warren, mano^r, and freehold, or on any part of them, betwixt the feaſt of Saint Michael the Archangel, and the birth of our Lord God yerely, Any thing in this law to the contrarie notwithſtanding. 1. Iac. 27.

Licence to ſhoot in a gun for Hawkes-meat.

10 It ſhall and may be lawfull to and for euery perſon and perſons keeping any hawke or hawks, which at the generall quarter Seſſions of the Countie (where he and they ſhall dwel) ſhall be licenced to ſhoot haile ſhot, in handguns, or birding peece, at Crowe, Chough, Pie, Rooke, Kingdoue, Jay, or ſmall birds, for hawkes meat onely, to ſhoot and kill hawkes meat, according to the ſaid licence only, ſo that ſuch partie ſo to be licenced, doe at the ſame quarter Seſſions become bound to the King by Recogniſance in xx. l. not to ſhoot at the foule or game, at which ſhooting is prohibited by this law, And ſo that he or they ſhall not ſhoot in any handgun, or other gun, within fiue hundred paces of any Yearneris, nor within one hundred paces of any pigeon houſe, nor in any parke, forreſt, or chace, whereof the partie ſo licenced, or his maſter is or ſhall not be the owner, keper, or gouernour: for the which licence and Recogniſance the Clerke of the Peace is to take onely xij. pence, and no more. 1. Iac. 27. To continue to the end of the firſt Seſſion of the next Parliament. S. Iuſt. of Peace 38.

Fifteenes, and Taxes.

Cattel chargeable to the xv. where they be the time of the ſame granted.

ALl Forreines, hauing lands, or tenements, goods, or chattels, within any townes, at the day of the graunt of any Diſme, Fiftæne, or other Tare, although they lead away their beaſts, or carris away their goods and cattels out of the ſame towne after the day of the ſaid graunt, yet euery of them ſhall be contributorie with the inhabitants of ſuch townes, to ſuch Diſme, Fiftæne, or Tare. And the Collectors of the ſame diſme, fiftæne, or tare, for the time beeing within ſuch townes, haue power by authoritie of their office, to tare and aſſeſſe ſuch Forreines according to the quantitie of their goods, cattels, and poſſeſſions, beeing in the ſaid townes at the day of the graunt, of the ſaid diſmes, fiftæne, or tare, and for the ſame ſummes whereto they be aſſeſſed or tared, to diſtraine in euerie place within

within the ſaid County, as well before the King be anſwered the whole ſummes that attaine to the ſaid Townes, as after. But no man or woman ſhall be twice charged for any ſuch beaſts, goods, or cattels, in any wiſe by occaſion thereof. 9. Hen. 4. 7. S. 1. Edw. 3. 6.

Fighting, Quarrelling.

Drawing of blood within the K. palace.

IF any perſon ſhall maliciouſly ſtrike any other perſon, whereby blood ſhalbe ſhed in any of the K. houſes or palaces, or in any other houſe, where the K. Maieſty, his heires, &c. ſhalbe at that time abiding in his royall perſon, viz within any edifices, courts, places, gardens, orchards, or houſes, within the Porters ward of any of the houſes aboue rehearſed, or within any gardens, priuy walkes, orchards, tilt-yards, woodyards, tennis plaies, cocke fights, bowling allies, nere adioining to any of the ſaid houſes, & being part of the ſame, or within 200 foot of the ſtandard of any outward gate or gates of any of the ſaid houſes, commonly vſed for paſſage frō any of the houſes &c. and ſhalbe therof indicted, arraigned, & attainted, according to the ſtatute in that caſe prouided, he ſhal haue his right hand ſtriken off, be impriſoned during his life, and make fine to the King at his pleaſure. But this act, nor the paines and forfeitures before rehearſed, ſhall not extend to any nobleman, or other perſon that ſhall ſtrike his ſeruant within the ſaid palaces, or houſes, or the limits of the ſame, with his hand or fiſt, or any ſmall ſtaffe or ſticke, for correction for any offence committed: Nor to any of the K. Officers, that in executing his office, ſhall ſtrike any perſon with his hand, fiſt, or ſmall ſtaffe, ſticke, or tipſtaffe: Nor to any other perſon, that in doing ſeruice at any triumph, or any other time of ſeruice, by the K. or any of his Councel, or other his head officers cōmandement, ſhall for the executing of his ſaid ſeruice, ſtrike any perſon with his hand, fiſt, ſmall ſtaffe or ſtick, or any tipſtaffe, within the ſame palace, houſe, &c. although by reaſon of ỹ ſame ſtroke or ſtrokes, there happen to be any bloodſhed of ſuch perſon as ſhal be ſo ſtriken, except the perſon ſo ſtriken die of the ſame ſtroke within one yere next after. 33. H. 8. 12. How the offender in this caſe ſhalbe indicted & tried. S. Triall 4. 5. 6.

Chiding in the Church or Churchyard.

2 If any perſon whatſoeuer, do by words only quarrell, chide, or braule, in any church or churchyard, then it ſhalbe lawfull to the Ordinary of the place where the offence is done & proued by two lawfull witneſſes, to ſuſpend him (being a lay mā) ab ingreſſu Eccleſiæ, & being a clerke, from the miniſtration of his office, ſo long as he thinketh meet, according to the fault. 5. Ed. 6. 4.

Smiting in Church or Churchyard.

3 Whoſoeuer ſhall ſmite, or lay violent hands vpon another, in any Church or Churchyard, ſhal be deemed ipſo facto excommunicat, & excluded from ỹ fellowſhip and companie of Chriſts congregation. 5. Ed. 6. 4.

Drawing or ſmiting with a weapon in a church or churchyard.

4 If any perſon ſhal maliciouſly ſtrike any perſon with any weapō in any church or churchyard, or ſhall draw any weapon in any church or churchyard, to the intent to ſtrike another with the ſame, then euery perſon ſo offending, & thereof being conuicted by verdict of xy. men, or by his owne confeſſion, or by ỹ. lawfull witneſſes, before the J. of Aſſiſe, J. of Oier & determiner, or J. of P. in their Seſſions, ſhalbe adiudged by the ſame J. before whom ſuch perſon ſhal be conuicted, to haue one of his eares cut off. And if ỹ perſon or perſons ſo offēding, haue none eares, whereby they ſhould receiue ſuch puniſhmēt as is before declared, then he or they to be marked & burned in the chēke with an hot iron, hauing the letter (F) whereby he or they may be knowne & take for fray makers & fighters, and beſides, that euery ſuch perſon to be & ſtand ipſo facto excommunicated as is aforeſaid. 5. & 6. E. 6. 4.

Aſſaults vpon them which come to the Parliament.

5 If any aſſault or fray be made vpon any Lord Spirituall, or Temporall, K. of the Shire, Citizen, or Burgeſſe, which comes to the Parliament, or to the Kings Councell by his commaundement, and there being & attending, then proclamation

ſhalbe made in the moſt open place of the towne where the affray was made, by iij. ſeuerall daies, that the party that made ſuch affray or aſſault, ſhall yeeld himſelfe in the Kings Bench, within a quarter of a yeare next after the proclamation made, if it be in the Terme time, or otherwiſe at the firſt day of the Terme following the ſaid quarter. And if he do not, he ſhalbe attainted of the deed, and pay to the partie grieued his double damages, to be tared by the diſcretion of the Juſtices of ỹ ſame Bench, or by enqueſt, if it be nedefull, and ſhall make fine & ranſome at the Kings pleaſure. And if he come and be found guiltie by enqueſt, by examination, or otherwiſe of ſuch affray or aſſault, then he ſhal pay to the party grieued his double damages found by the enqueſt, or to be tared by the diſcretion of the ſaid Juſtices, and make fine & ranſome at the Kings pleaſure. 11.H.6.11. The like puniſhment ſhall he haue, which maketh aſſault or fray in Parliament time vpon any meniall ſeruant of any Knight of the Parliament, or &c. which doth come to the Parliament with his Maſter. 5.H.4.6.

Aſſaulting the ſeruant of him which cõmeth to the Parliament.

Fines.

The conuſor in the fine ſhall come perſonally before the Juſtices.

AS well the parties plaintifes or demaundants, as the tenants and defendants, which will knowledge or yeeld their right or tenements to others in pleas of Warrantia chartę, Couenant, and other like, wherupon fines are to be leuied, ſhall come perſonally before the Juſtices of the Common place, before the ſame fines be leuied, that their age, Ideocie, or other defect (if there be any) may be diſcerned and iudged by them: But if any man which is old, decrepit, or impotent, by any caſualtie, be ſo oppreſſed or detained, that he is not by any means able to come before the ſaid Juſtices, Then two or one of the ſaid Juſtices, by the aſſent of the whole Bench, ſhall goe vnto him which is ſo diſeaſed, and ſhall receiue his cogniſance vpon the plea, or forme of plea, which he hath in the Kings court, whereupon the ſaid fine ought to be leuied, and if there goe but one, he ſhall take with him an Abbot, a Prior, or a Knight, being a man of credit and good name, and ſhall certifie the J. of the Common Place thereof by their record, So that all thinges incident to the fine being by him or them well examined, the ſame fines may be duly leuied. Carliel. 15.E.2.

A fine taken by dedimus poteſtatem.

A fine cannot be leuied with out an originall writ.

2 The order of the law will not permit a finall accord to be leuied in the Kings Court, without an originall writ, & that muſt be at the leaſt before iij. Juſtices of the Bench, or in Eire, & not otherwiſe, and in preſence of the parties named in the writ, which be of full age, good memorie, & out of priſon. And if a woman which is couert baron, be one of the parties, thē it behoueth that ſhe be firſt examined before the ſaid foure J. and if ſhe do not aſſent to the fine, it ſhal not be leuied. Stat. de finibus. 18.Ed.1.

A fine leuied by a woman couert.

A fine proclaimed.

3 After the ingrolling of euery fine to be leuied in the Kings Court, before his Juſtices of the Common pleas, of any lands, tenements, or other hereditaments, the ſame fine ſhalbe openly and ſolemnly read & proclaimed in the ſame Court the ſame Terme, and in three Termes then next following the ſame ingroſſing in the ſame Court, at foure ſeuerall daies in euery Terme, and in the ſame time that it is ſo read and proclaimed, all pleas ſhall ceaſe. 1.R.3.7.4.H.7.24. All fines with proclamations, from and after the Feaſt of Eaſter next enſuing, to be leuied in the ſaid Court (viz. of the Common pleas) ſhalbe proclaimed onely foure times, that is to ſay, once in the Terme wherein it is ingroſſed, and once in euery of the three Termes holden next after the ſame ingroſſing. And euery fine proclaimed as aforeſaid, ſhalbe of as great force and effect in law to all intents and purpoſes, as if the ſame had bin fifténe times proclaimed, according to the ſtatutes heretofore made. 31.El,2.

4 And the ſaid proclamations ſo had & made, the ſaid fine ſhall be a finall end, & conclude as well priuies as ſtraungers to the ſame, except women couert (other then bee parties to the ſaid fine) & euerie perſon then being within age of twentie one yeares, in priſon, or out of this Realme, or not of whole mind at the time of the ſaid fine leuied, nor partie to ſuch Fines. 1.R.3.7.4.H.7.24. Who ſhal be concluded by a fine, and who not.

5 Sauing to euery perſon or perſons, & to their heires (other then the parties in the ſaid fine) ſuch right, claime, & intereſt, as they haue to, or in the ſaid lands, tenements, or other hereditamēts, time of ſuch fine ingroſſed, ſo that they purſue their title, clayme, or intereſt, by way of action or lawfull entrie, within fiue yeres nert after the ſaid proclamations had & made. 1.R.3.7.4.H.7.24. Euery ſtrangers right ſaued which he preſently hath.

6 And ſauing to all other perſons, ſuch action, right, title, claime, & intereſt, in or to the ſaid lands, tenements, or other hereditaments, as firſt ſhall grow, remaine, or diſcend, or come to them after the ſaid fine ingroſſed, & proclamation made by force of any gift in the taile, or by any other cauſe or matter had & made, before the ſaid fine leuied, ſo that they take their Action, or purſue their ſaid right & title, according to the law within fiue yeres nert after ſuch action, right, title, claime or intereſt to them accrued, diſcended, remained, fallen or come: And the ſaid perſons & their heires may haue their ſaid action againſt the perſon of the profites of the ſaid lands and tenements, and other hereditaments, time of the ſaid action to be take. 1.R.3.7.4.H.7.24. The right of ſtrangers ſaued, which ſhal come to them. Actiō maintenable againſt perſon of the profits.

7 And if the ſame perſons, at the time of ſuch action, right, and title, accrued, diſcended, remained, or come vnto them, be couert baron, or within age, in priſon, or out of this land, or not of whole mind, then their action, right, and title, ſhall be reſerued, and ſaued to them, and to their heires, vnto the time they come and be at their full age of xxj. yeres, out of priſō, within this land, vncouert, & of whole mind, ſo that they or their heires take their ſaid actions, or their lawfull entry, according to their right & title, within fiue yeares nert after that they come, & be at their full age, out of priſon, within this land, vncouert, & of whole mind, & ỹ ſame actions purſue, or other lawful entry take, according to the law. But all ſuch perſons as be couert baron, not party to the fine, & euery perſon being within age, in priſon, or out of this land, or not of whole mind, at the time of the ſaid fines leuied and ingroſſed, hauing any right or title, or cauſe of action, to any of the ſaid lands & other hereditaments, they or their heires inheritable to the ſame, ſhall take their ſaid actions or lawfull entry according to their right & title, within v. yeares nert after they come and be of full age of xxj. yeares, out of priſon, vncouert, within this land, & of whole mind, and the ſame actions ſue, or their lawfull entry take and purſue according to the law. And if they do not take their actions & entry, as is aforeſaid, they & euery of them, & their heires, & the heires of euery of them, ſhalbe concluded by the ſaid fines for euer in like forme as they be, that be parties or priuies to the ſaid fines. 1.R.3.7.4.H.7.24. The right of infants, womē couert, perſōs impriſoned, out of the ſaid, & not of whole mind, ſaued.

8 Sauing to euery perſon & perſons not party nor priuy to the ſaid fine, their exception, to auoid the ſaid fine, by that, that thoſe that were parties to the fine, nor any of them, nor no perſon or perſons to their vſe, ne to the vſe of any of them, had nothing in the lands & tenements compriſed in the ſaid fine, at the time of the ſaid fine leuied. 4.H.7.24. Exception that the parties to the fine had nothing in the land.

9 Anno 1.R.3.7. it is enacted, that a tranſcript of the ſame fine ſhalbe ſent by the ſaid Juſt. of the Common pleas, to the Juſt. of Aſſiſe of the Countie where the ſaid lands and tenements be, they to cauſe the ſaid fine to be read & proclaimed openly, and ſolemnly in euery their Seſſions of Aſſiſe to be holden the ſame yeare, if Aſſiſes do then hold, and all the pleas in the meane time to ceaſe: alſo a like tranſcript of the ſame fine ſhalbe ſent to the J. of peace of the Countie where the ſaid lands and tenements be, they to cauſe open and ſolemne proclamation of the ſaid fine to bee A fine proclaimed at the generall aſſiſes and quarter Seſſions.

made at foure ſeuerall Seſſions of the peace to bee holden the ſame yeare. The ſaid J. of aſſiſes, & alſo J. of peace to certifie the ſame proclamation to the J. of the Common pleas, at the ſecond day of returne of the terme then nert following.

Fines at the cõmon law be of ꝧ ſame force they were.

10 Euerie fine that ſhall be leuied in any of the Kings Courts of any Manors, lands, tenements, or other poſſeſſions after the manner, vſe and formes that fines haue bin leuied before the making of theſe acts, be of like force, effect, & authority, as fines ſo leuied be, or were before the making of theſe acts, and euery perſon ſhall be at his libertie to leuie a fine at his pleaſure, whether he will after the forme cõtained & ordained in, and by theſe acts or any of them, or after the manner and forme before time vſed. 4. H. 7. 24. 1. R. 3. 7.

Proclamations not made by ꝧ adiournment of any terms.

11 All fines as well heretofore leuied, as hereafter to be leuied before the J. of the Common plees, of any manors, lands, tenements, or other hereditaments, whereupon the proclamations haue not, or ſhall not by reaſon of adiournment of any terms by writ be duely made, ſhall be of as good force, effect, and ſtrength, to all intents, conſtructions, & purpoſes, as if any terme heretofore adiourned, or ꝧ at any time hereafter ſhal be ſo adiourned, had bin holden & kept, frõ the beginning to the end therof not adiourned, & proclamation therein made, according to the forme & effect of the ſaid ſtatute of 4. H. 7. 1. M. 1. Parl. 7.

Fines leuied before the Iuſtices of aſſiſe at Lancaſter.

12 All Fines which ſhall be leuied before the Iuſtices of Aſſiſes at Lancaſter, or before one of them, of any lands, tenements, or other hereditaments lying within the Countie Palantine of Lancaſter, which ſhall be openly read, and proclaymed thrée ſeuerall dayes in the open Seſſions in the preſence of the Iuſtices of Aſſiſe at Lancaſter, or one of them, at the ſame Seſſions, that the ſame fine ſhalbe ingroſſed, and alſo at the two nert generall Seſſions, that ſhall be holden in the ſaid Countie, before the J. of Aſſiſe of the ſame Countie, or before one of them, nert after the leuying or ingroſſing of ſuch ſaid fine, at thrée ſeuerall dayes in either of the ſaid two Seſſions, after ſuch manner and forme, as is commonly vſed in the Common place at Weſtminſter, ſhalbe of like force to all intents, as Fines being duly leuied with Proclamations before the Kings Iuſtices of his Common plées be or ought to bee of. 37. H. 8. 19. And all & ſingular fines which at any time hereafter ſhalbe leuied or knowledged before the Iuſtice or Iuſtices of the Countie Palantine of Durham for the time being, authorized for that purpoſe and cauſe, of any lands, tenements, or other hereditaments, lying or beeing within the ſaid Countie Palantine of Durham, which ſhall be openly read and proclaimed two ſeuerall daies in the open Seſſions, in the preſence of the Iuſtices of Aſſiſes at Durham, or one of thẽ for the time being at the ſame Seſſions, that the ſame ſhal fortune to be ingroſſed, and alſo that ſhal be openly read & proclaimed in the preſence of the J. of Aſſiſe at Durham, or one of them for the time being, at the two general Seſſions that ſhalbe holden in the county Palantine of Durham, before the J. of the ſame county, cõmonly called J. of aſſiſes at Durham, or one of thẽ, nert after the leuying or ingroſſing of ſuch ſaid fine, ſhalbe of like, and of the ſame force, ſtrength, and effect in the law, to al intents, conſtructions, & purpoſes, as Fines being duely leuied with Proclamations before the Mr. Iuſt. of her Common plées at Weſt. be or ought to be. 5. Eliz. 27. A Stat. not printed.

Fines leuied before the J. of Aſſiſe at Durham.

Fines leuied before the high Iuſt. at Cheſter, of lands in Cheſhire.

13 Fines which ſhalbe leuied before the high Iuſtice of the county Palantine of Cheſter, or before the deputy or lieutenant Iuſtice there for the time being, of any lands, tenements, or other hereditamẽts, lying within the ſaid county Palantine of Cheſter, which ſhalbe openly read & proclaimed iij. ſeueral daies in the open Seſſion, in the preſence of the J. of the ſaid county Palantine, or before the deputy or Lieutenant Iuſtice there, at the ſame Seſſions that the ſame fine ſhalbe ingroſſed, and alſo at the two nert generall Seſſions that ſhalbe holden in the ſaid Countie, next after the leuying and ingroſſing of ſuch fine at thrée ſeueral daies, in either

of

of the ſaid two Seſſions, after ſuch manner and forme, as is commonly vſed in the Common place at Weſt. ſhalbe of like force to all intents, as fines being duly leuied with Proclamations before the kings Iuſtices of his common pleas be or ought to be of. 2. E. 6. 28.

Fines leuied of lands within the County of the citie of Chester.

14 It ſhall and may be lawfull to and for all and euery perſon or perſons whatſoeuer, vpon any originall writ or writs of Couenant, or any other originall writ or writs whereupon fines are or haue bin vſually leuied, to be purchaſed out of her Highneſſe Court of Exchequer, within the Countie Palantine of Cheſter returnable before the Maior of the ſaid citie for the time being, in the Portmot court, to be holden within the ſaid citie, to leuie any fine or fines of any lands, tenements, or hereditaments, lying or being within the ſaid Countie of the citie of Cheſter, before the Maior of the ſaid city for the time being, in the ſaid Portmot court, in ſuch manner & forme as fines may be leuied by any lawes or ſtatutes of this realme, before the D. high Iuſtice of her County Palantine of Cheſter, of lands within the ſame Countie Palantine: And the Maior of the ſaid citie for the time being, ſhall from henceforth haue full power & authority, to receiue & record all & euery ſuch fine and fines. And all & euery fine and fines, which ſhalbe ſo leuied, and which ſhall be openly read & proclaimed before the Maior of the ſaid citie for the time being, in the ſaid Portmot court, once at the ſame court day that the ſaid fine or fines ſhal be ingroſſed, & once at euery of the nine next court daies of Portmot to be holdē within the ſaid city, before the Maior therof for the time being, next after the leuying & ingroſſing of ſuch fine or fines, ſhalbe of like force, ſtrength, & effect in the law, to al intents & purpoſes, as fines duly leuied with proclamations, before her Ma. high Iuſtice of her county Palantine of Cheſter, of lands within the ſame county Palantine, are or ought to be of. 43. El. 15.

A Dedimus poteſtatem to receiue a warrant of Atturney in Cheſter

15 And whereas the Mayor of the ſaid citie for the time being, hath bēne euer heretofore (for and during all the time whereof the memorie of man is not to the contrary) accuſtomed in all and euery common recouerie or recoueries, ſuffered before him in the ſaid court of Portmot in abſence of the tenant or tenants, vouchē or vouchēs, in ſuch recouerie or recoueries, to award and ſend forth of the ſaid Court, a Writ, Proces, or Precept of Dedimus poteſtatem, in the name of the Quēne that now is, and of her Progenitors, Kings and Quēnes of England, for the time bēing, vnder the Teſte of the ſaid Mayor for the time bēing, and ſealed with the Seale of his Office, thereby authorizing thoſe to whom the ſame was directed, or ſome of them, to receiue Warrants of Atturneyes from ſuch Tenant, or Tenants, Vouchē, or Vouchēs, or ſuch Atturney, or Atturneyes, as the ſaid Tenant, or Tenants, Vouchē, or Vouchēs, would in his or their place, or places, conſtitute for him, or them, to appeare in the ſaid Court, and to gaine or loſe the ſaid Lands, Tenements, or Hereditaments, in, or by ſuch Recouerie or Recoueries, demaunded, or to be recouered: Be it enacted, That vpon all and euery ſuch originall Writ or Writs, hereafter to be purchaſed out of her Highneſſe ſaid Court of Exchequer, as aforeſaid, for the leuying of any Fine, or Fines, within the ſaid Citie of Cheſter, the Mayor of the ſaid Citie for the time bēing, ſhall for euer hereafter haue full power and authoritie, to award and ſend forth ſuch like Writ, or Writs, Proces, or Precepts, of Dedimus poteſtatem, as is aforeſaid, to any two or more ſufficient perſons, authorizing them, or ſome of them, to receiue and take the acknowledgement of ſuch perſon, or perſons, as ſhall be willing to leuie ſuch Fine, or Fines, and by reaſon of ſickneſſe, or other reaſonable impediment, cannot come in perſon before the ſaid Mayor for the time being, to make ſuch acknowledgement: And all and euery ſuch Fine and Fines, as vpon any ſuch acknowledgement made and certified into the ſaid Court of Portmot, ſhalbe hereafter ingroſſed, recorded,

A Dedimus poteſtatem to receiue a fine in Cheſter.

and proclaimed, in such manner and forme, as is formerly limitted and appointed, before the Maior of the said citie, for the time being, in the said Court of Portmot, shall bee of like force and effect, to all intents, constructions, and purposes, as if the same Fine or Fines had beene personally acknowledged before the said Mayor, and ingrossed, recorded, and proclaymed, in such manner and forme, as in and by this present act is formerly appointed and declared. 43. Eliz. 15.

The reuersall of a fine leuied in Chester.

16 Prouided alwayes, That Fines to be leuied by vertue of this act, shall bee subiect to be reuersed, and may bee reuersed, vpon Writs of Errour, to bee sued and prosecuted before the said high Iustice of the said Countie Palantine of Chester, as other Iudgements giuen by the said Mayor, in the said Portmot Court, may be and haue vsed to be, if there shal be found error in the same Fine or Fines. 43. Eliz. 15.

A fine leuied by tenant in taile, shalbe a barre to the heire of his body.

17 All and singular Fines, as well heretofore leuied, as hereafter to bee leuied, before the Iustices of the Common Pleas, with Proclamation according to the foresaid Statute made the fourth yeare of the raigne of King Henry the seuenth, by any person or persons, of full age of twentie one yeares, of any Manors, Lands, Tenements, or other Hereditaments, before the time of the same fine leuied in any wise entailed to the person or persons so leuying the same fine, or to any the auncestor or auncestors of the same person or persons in possession, reuersiõ, remainder, or in vse, shalbe immediatly after the same fine leuied, ingrossed, and proclamations made, adiudged, and taken to all intents, a sufficient barre and discharge for euer, against the same person and persons, and their heires clayming the said lands, tenements, & hereditaments, or any parcell thereof, only by force of any such entaile, and against all other persons clayming the same, or any parcell thereof onely to their vse, or to the vse of any manner of heire of the bodies of them. 32. H. 8. 36.

Fine leuied by the wife of the inheritãce of her late husband.

18 But this act shall not extend to barre the lawfull entry, title, or interest of any heires or persons, giuen or accrued to any of thē, in, or to any manors, lands, tenements, or hereditaments, by reason of any fine leuied by any womã, after the death of her husband, contrary to the forme, intent, & effect of the statute made 11. H. 7. 20. of any manors, lands, tenements, & hereditaments, of the inheritance or purchase of the said husband, or of any his auncestors, giuen or assigned to any such woman in dower, for terme of life, or in taile, in vse, or in possession: But the same act made 11. H. 7. shall remaine in full strength, in euery clause therein contained, as though this act had not bin made. 32. H. 8. 36. S. Women 1.

A fine leuied by him which is restrained by parliamẽt.

19 Neither shall this act extend to any fine heretofore leuied or hereafter to be leuied of any lordships, manors, lands, tenements, or other hereditamẽts, the possessioners & owners whereof, by reason of any expresse words contained in any especiall act or acts of Parliament made sithence 4. H. 7. be bounden or restrained frõ making any alienations, discontinuance, or other alterations of any of the same manors, lands, &c. cõtained in the said fine: But euery such fine shalbe of such like force & strength in the law, & of none other effect, then the same should haue bin, if this act had neuer bin made. 32. H. 8. 36.

Fines of lands whereof the reuersion is in the K.

20 Neither shal this act extend to any fine leuied by any person of any manors, lands, tenements, or hereditaments, before the time of the leuying of the same fine giuen, granted, or assigned, to the said person, or to any of his auncestors in the taile, by vertue of any letters Patents of K. H. 8. or of any of his progenitors, or by vertue of any act or acts of Parliament, the reuersion whereof at the time of the same fine leuied, being in the K. his heires, or successors: But euery such fine shall be of like force and effect, as they were or should haue bin, if this act had not bin made. 32. H. 8. 36.

21 No Exception, Anſwere, or Inquiſition of the countrey ſhall bee admitted by any perſons, beeing parties to any fines, or by their heires to auoide and defeat ſuch fines, in alledgeing that before the fine leuied, at the leuying thereof, and ſince the fine leuied the demandants or plaintifes or their auncettors were alwaies ſeiſed of the land contained in the fine, or of ſome parcell thereof. Stat. de finibus. 27. Ed. 1. 1. Exceptiõ that the demandãt &c. was alwaies ſeiſed.

22 Euery writ of couenant and other writ, wherupon any fine heretofore hath bene leuied, or hereafter ſhalbe leuied, the returne thereof, the writ of Dedimus poteſtatem, made for the knowledging of any of the ſame Fines, the returne thereof, the concord, note, & fort of euerie ſuch fine, the proclamations made thereupon, & the R. ſiluer, and alſo euerie originall writ of entry in the poſt, or other writ, whereupon any commõ recouery hath bin ſuffered, or hereafter ſhalbe ſuffered or paſſed, the writs of Sum. ad Warrantiz. the returnes of the ſaid originals, & writs of Sum. ad Warrantizand. and euerie warrant of Atturney, had, or to be had, aſwell of euerie demandant & tenant as vouchée extant & remaining, or that ſhall be extant & in being, may vpon the requeſt or election of any perſon be inrolled in rols of parchment by ſuch perſons, & for ſuch cõſiderations as hereafter in this act ſhall be mentioned: & the Inrolments of the ſame, or of any part therof, ſhalbe of as good force & validity in law to al intents, for ſo much of any of them ſo inrolled, as the ſame being extant and remaining were or ought by law to be. 23. Eliz 3. Inrolment of fines and recouerics.

23 No Fine, proclamations vpon fines, or common recouerie heretofore had, leuied, ſuffered, or paſſed, or hereafter to be had, leuied, ſuffered, or paſſed, ſhall be reuerſed or reuerſable by any writ of Error, for falſe or incongrue Latin, raſure, interlining, miſentring of any warrant of Atturney, or of any proclamation, miſreturning, or not returning of the Sherife, or other want of forme in words, and not in matter of ſubſtance. 23. Eliz. 3. For what errors, fines, & recouerics are not reuerſable.

24 Prouided alwaies, that this act, nor any thing therein contained, ſhall barre or exclude any perſon or perſons from any writ of Error, which ſhal be had, taken, or purſued, within fiue yéres nert after the end of the Seſſion of this preſent Parliament, vpon any fine or recouerie heretofore had or ſuffered: Nor from any writ of Error which ſhalbe had, taken, or purſued, vpon any fine or recouery, heretofore leuied, knowledged, or had, which fine or fines, recouerie or recoueries, or any part or parcell of them, or any of them, now is, or at any time before the firſt day of June, which ſhall be in Ann. Dom. 1582. ſhall be exemplified vnder the Great Seale of England, at and by the ſuit of any perſon, that is, or may be intituled to haue or ſue any writ of Error vpon any the fines or recoueries heretofore paſſed: Nor to barre any feme couert, or any perſon within the age of xxj. yeares, or any perſon that is non Compos mentis, in priſon, or beyond the Seas, or of or from any writ of Error to be had or proſecuted, for the reuerſing of any fine or recouery heretofore paſſed, leuied, or ſuffered: ſo that ſuch feme couert, or her heires, within vij. yeares nert after that ſhe become ſole, & ſuch perſon within the age of xxj. yeares, or his heires, within vij. yeares nert after he ſhall come & be of full age of xxj. yeares, And ſuch perſon that is non Compos mentis, within vij. yeares nert after he ſhall become of ſanæ memoriæ, & in default thereof, the heires of ſuch perſon that is non Compos mentis, within 7. yeres nert after the death of ſuch perſon being non Cõpos mentis, And ſuch perſon in priſon, or his heires, within vij. yeares nert after the ſame perſon ſhalbe at liberty, And ſuch perſon beyond the ſeas, or his heires, within vij. yeres nert after the returne of ſuch perſon into this Realme of England, or the death of the ſaid perſon, if he ſhall before his returne die in any forraine countrey, ſhall ſue, take, and proſecute their writs of Error, as their caſes ſeuerally ſhall require, for reuerſing of any of the ſaid Fines or Recoueries, heretofore paſſed, leuied or ſuffered. 23. Eliz. 3. What perſons may haue writs of error to reuerſe fines and in what caſes.

25 Proui-

A remedie for ỹ heire, where the auncestor dieth, hanging the suit.

24 Prouided alwayes, that if any person or persons shall within the time and yeres afore mentioned, commence or sue his or their writs of Error for the reuersing of any the said fines or recoueries heretofore passed, which suit shall fortune to abate by the death of any the parties to the same, Then it shall and may be lawfull for his and their heires, at any time within one yeare next after the said vij. yeares expired, to haue, sue, and take their writ of Error, for the reuersing of euery such fine & recouerie. And if such heire be an infant, within the age of xxj. yeres, then within one yeare next after the full age of such infant: any thing in this act &c. notwithstanding. 23. El. 3.

The day and yeare of the knowledge of a fine, or warrant of Atturney.

25 Euery person that shal at any time hereafter take the knowledge of any fine, or warrant of Atturney, of any tenant or Vouchée, for suffering any common recouerie, or shall certifie them or any of them, shall with the certificat of the concord or warrant of Atturney, certifie also the day & yeare wherein the same was knowledged. And no person that taketh any such knowledge of any fine or warrant for any recouerie, shall be bounden, or by any meanes enforced to certifie any such knowledge, or warrant, except it be within one yeare next after the said knowledge take, and no Clerke or officer shall receiue any writ of couenant, or writ of Entry, whereupon any fine or cõmon recouerie is hereafter to passe, vnlesse the day of the knowledge of the same fine & warrant shall appeare, in, or by such certificat, vpon paine that euery Clerke that shall receiue any such writ, shall forf. for euery time that he shall so offend v.l. And no Atturnement in or vpon any fine shalbe entred vpon record, except the party mentioned to atturne therin, first haue appeared in the court in person, or by Atturney warranted by the hand of one of the J. of the one Bench, or the other, or of one J. of Assise vpon a writ of Quid iuris clamat, Quem redditum reddit, or Per quæ seruitia, as the case requireth. And euery entry of Atturnement hereafter to be made, where there shalbe no apparance as afore is said, shalbe vtterly void, and of none effect, without any writ of Error, or other meanes to be vsed for auoiding thereof. 23. Eliz. 3.

Atturnement.

The office of Inrolments.

26 There shalbe for euer one Office for the inrolment aforesaid, which shalbe & continue an office for euer, called the Office of Inrolments of writs for Fines and Recoueries. And the Justices of the Common pleas for the time being (other then the chiefe Justice) shall haue & take the care & charge, of, and for the Inrolments aforesaid, & shall haue & enioy the said office, & the disposition thereof, & carefully see & looke to the execution thereof. And in consideration of their charges, paine, & trauell therein, shall haue & take the summes of money hereafter following, and no more: That is to say, for the Inrolment & examination of euery fine, & the parties therof before mentioned, the summe of vj. s. viij. d. And for the inrolment of the said parts of euery Recouerie, & the examination thereof, vj. s. viij. d. And for euery exemplification of the Inrolment of any fine v. s. And for the exemplification & returnes of euery writ of Entry, Summons ad warrantizandum, and Warrants, v. s. And for the search of the Rols of one yeare, iij. d. And for the copy of one sheet of paper, containing 14. lines, iij. d. And the said J. or one of them, shal examine the Inrolmẽts of euery such fine, & parts of Recoueries, & forthwith after examination therof, and immediatly after the Inrolment of euery such fine & parts of Recoueries, write his name that so examineth, with his owne hand in the roll thereof, vpon pain that the said J. shall forf. to the Qu. v.l. for euery time that they, or some one of them, shall make default of such examination or writing of his or their name, as afore is said. And it shall & may be lawfull to & for the Justices of the said Court of cõmon pleas, from time to time, to take order in all things that shalbe cõuenient & needful for the Inrolments aforesaid: And vpon examination in the said Court to assesse such fine or amerciamẽt, vpon any clerke, sherife, deputie, atturney, and other person, for his and their misprision, contempt, and negligence, for not doing, or misdoing in any thing

Fées for inrolment of fines and recoueries.

Assessing of fines for misprision, contempt, or negligence.

thing, of, in, or concerning the said Fines & recoueries, or any part of them, or either of them, as by the said J. of the said Court of Common pleas for the time being, shal be thought meet & conuenient: the said fine & amerciament to be estreated amongst the fines & amerciaments of that Court, where such offence or misprision shal be cõmitted. 23. Eliz. 3.

27 The Chirographer of Fines of the Common pleas for the time being, for euer shall write and make, or cause to be written & made for euery County, where her Maiesties writ runneth, one Table, wherein shalbe contained such contents of euery Fine, that shall passe in any one Terme, as hereafter is mentioned: That is to say, the name of the Countie, wherein the tenements mentioned in any Fine be, the name of euery plaintife and deforeant, and of euery Mano^r named in the fine, if any such be, and of the towns and places where the tenements in such Fine comprised do lie. And the first day of the nert Terme, after the ingrossing of euery such Fine, shall fixe euery of the said Tables vpon some open place of the Court of Common plees, and so euery day of the said Terme during the time of sitting of the said Court. And the said Chirographer shall deliuer to euery Sherife of euery Countie, his Undersherife or Deputie, faire written in parchment, a perfect content of the Table, so to be made for that Shire, in the Terme that shall be nert before the Assises be holden in the said Countie, or els meane betweene that Terme and the said Assises. And euery such Sherife to whom such parchments with the contents aforesaid, shall be deliuered the first day of the next Assises after the deliuerie thereof vnto him, and euery day during the said Assises, shall fixe and set vp the same writing vndefaced, in some open place in the Court where the Iustices of the Assise of that County shall sit, and shall see the same to continue there, during such time as the said J. shall sit there in Court, vpon paine that euery Chirographer and Sherife, offending against any thing in this act contained, shall forfeit to the Qu. and J. v. l. to be recouered in any Court of Record, wherein no E. P. or W. shall be allowed. And the Chirographer for the time being, shall haue and take for euery such content of euery fine so set downe in the Table aforesaid iiij. d. 23. Eliz. 3.

A Table containing the content of euery fine shalbe set vp in the Common place, and at the generall Assises.

The Chirographer his fee for the content of a fine.

28 And forasmuch as vpon great examination it appeareth, that diuers Fines and Recoueries haue bin heretofore leuied and suffered of diuers manors, messuages, lands, tenements, and hereditaments, which sometime were the inheritance of George, sometime Earle of Kent, great grandfather to Henrie now Earle of Kent, in vse, possession, reuersion, or remainder, whereunto the said now Earle of Kent pretendeth title, in vse, possession, reuersion, or remainder, which if they be erronious, as is pretended, doe much varie from the generall cause and mischiefe, for which this Statute meaneth to prouide: Therefore this Statute nor any thing therein contained, shall extend to take away any Writ of Error, whereunto any person or persons is now, or hereafter shall be lawfully intituled for the reuersing of the said Fines and Recoueries, or any of them heretofore leuied or suffered of any of the said manors, messuages, lands, tenements or hereditamẽts, which late were any part or parcell of the inheritance of the said George, sometime Earle of Kent, in vse, possession, reuersion, or remainder: any thing in this Stat. &c. notwithstãding. 23. Eliz. 3.

Earle of Kent his title.

29 It shall & may be lawfull for the J. Clerkes authorized by their warrant in the said seuerall offices & places, where the same Records, or any of them, do or shall remaine, to write out or inroll the same Records, & euery part thereof, without any thing to be paied therefore: And the said Records, nor any of them, for the writing out, or making the rols thereof, by the Clerkes of the said Iustices, otherwise then for the examination thereof by the J. shalbe brought, or carried forth of the said offices or places, 23. Eliz. 3.

Records are not to be remoued forth of the office.

30 None

No fines or recoueries amended, after exemplificatiõ.

30 None of the Fines or Recoueries heretofore leuied, paſſed, or ſuffered, which ſhall be exemplified vnder the great Seale, according to the forme of this Act, ſhall after ſuch exemplification had, be in any wiſe amended. 23. El. 3.

Inrolment of fines & recoueries in Wales, & the Counties Palantine.

31 Euery writ of Couenant, and other writ whereupon any Fine heretofore hath bene leuied, or hereafter ſhall be leuied, the returne thereof, the writ of Dedimus poteſtatem, made for the acknowledging of any of the ſame Fines, the returne thereof, the concord, note and ſcot of euery ſuch fine, the Proclamations made thereupon, and the Kiriuer, and alſo euery originall writ of Entre in the Poſt, or other writ whereupon any common recouerie hath bene ſuffered, or hereafter ſhall be ſuffered or paſſed, the writ of Summons ad warrantizandum, the returnes of the ſaid originals, and writs of Summons ad warrantizandum, and euery warrant of Attorney, had, or to be had, as wel of euery demandant and tenant, as Voucher extant and remaining, or that ſhall be extant and being in the Courts of Aſſiſes or great Seſſions, within the twelue Shires of Wales, Towne and Countie of Hauerford Weſt, and Counties Palantines of Cheſter, Lancaſter, and Dureſme, or in the cuſtodie of the Officers, to whom the charge of keeping thereof doth appertaine, may vpon the requeſt or election of any perſon, or perſons, be inrolled in rols of Parchment, by ſuch perſons, and for ſuch conſiderations, as hereafter in this act ſhall be mentioned. And the Inrolments of the ſame, or any part thereof, ſhall bee of as good force and validitie in Law, to al entents, reſpects, and purpoſes, for ſo much of any of them ſo inrolled, as the ſame being extant and remaining, were or ought by law to be. 27. El. 9.

Glamorgan.
Brecknock.
Radnor.
Carmarthen.
Pembroke.
Cardigan.
Montgomery
Denbigh.
Flint.
Carnaruan.
Angleſey, and
Merioneth.

For what Errors, fines & recoueries are not reuerſable.

32 No fine, proclamations vpon fines, or common recoueries, heretofore had, leuied, ſuffered, or paſſed, or hereafter to be had, leuied, ſuffered, or paſſed in any of the ſaid xij. ſhires of Wales, towne & county of Hauerford Weſt, or counties Palantine, ſhall be reuerſed or reuerſable by any writ of Error, for falſe or incongrue Latine, Raſure, Interlining, Miſentring of any warrant of Attorney, or of any Proclamation, Miſreturning, or not returning of the Sherife, or other want of forme in words, and not in matter of ſubſtance. 27. El. 9.

In what caſes writs of Error ſhall be allowed.

33 Prouided alwayes, that neither this Act, nor any thing therein contained, ſhall barre or exclude any perſon or perſons from any Writ of Error, which ſhalbe had, taken, or purſued within fiue yeares next after the end of this Seſſion of this preſent Parliament, vpon any fine or recouerie heretofore had or ſuffered in any of the Courts aforeſaid: Nor from any writ of Error, which ſhall be had, taken, or purſued vpon any Fine or Recouerie heretofore leuied, acknowledged, or had, in any of the Courts aforeſaid, within any of the ſaid 12. ſhires of Wales, or Towne and Countie of Hauerford Weſt: Which Fine or Recouerie, or any part or parcell thereof now is, or at any time before the firſt day of June, which ſhall be in the yeare of our Lord God 1585. ſhall be exemplified vnder the iudiciall ſeales of the ſaid Courts, at or by the ſuite of any perſon that is or may be intituled to haue or ſue any Writ of Error vpon any the ſame Fines or Recoueries ſo heretofore paſſed: Nor from any Writ of Error, which ſhall be had, taken, or purſued vpon any Fine or Recouerie heretofore leuied, knowledged, or had in any of the Courts aforeſaid, within any of the ſaid Counties Palantine, which Fine or Recouerie, or any part or parcell thereof now is, or at any time before the ſaid firſt day of June, which ſhalbe in the yere of our Lord God 1585. ſhalbe exemplified vnder the Seale of the ſame county Palantine, where the ſame Fine or Recouerie ſhalbe ſo leuied, knowledged, or had, at, or by the ſuite of any perſon that is or may be intituled to haue or ſue any writ of Error vpõ the ſame Fine or Recouery ſo heretofore paſſed: Nor to barre any Feme couert, or any perſon within the age of twenty one yeares, or any perſon that is Non compos mentis, in priſon, or beyond the ſeas, or, or from any writ of Error to be had or proſecuted for the reuerſing of any Fine or recouerie

here-

heretofore paſſed, leuied, or ſuffered in any of the ſaid twelue Shires of Wales, Towne and Countie of Yauerford Weſt, or Counties Palantine: So that ſuch Feme couert or her heires within ſeauen years nert after that ſhe become ſole, And ſuch perſon within the age of twentie one yeares, or his heires within ſeuen years nert after he ſhall come and be of full age of twentie one yeares, And ſuch perſon that is Non compos mentis, within ſeauen yeares nert after he ſhall become of Sane memorie, and in default thereof, the heires of ſuch perſon that is Non compos mentis within ſeauen yeares next after the death of any ſuch perſon, being Non compos mentis, And ſuch perſon in priſon, or his heires within ſeauen yeares nert after the ſame perſon ſhall be at libertie, And ſuch perſon beyond the Seas, or his heires within ſeauen yeares nert after the returne of ſuch perſon into this Realme of England, or the death of the ſaid perſon, if he ſhall before his returne die in any forreine Countrie, ſhall ſue, take, and proſecute their Writs of Error, as their cauſes ſhall ſeuerally require for reuerſing of any of the ſaid Fines or Recoueries heretofore paſſed, leuied, or ſuffered. 27. El. 9.

A remedy for the heire, where the auncestor dieth, hanging the ſuit.

34 If any perſon or perſons ſhall within the time and yeares aforeſaid, commence or ſue his or their writs of Error, for the reuerſing of any of the ſaid Fines or Recoueries heretofore paſſed, which ſuite ſhall fortune to abate by the death of any of the parties to the ſame: Then it ſhall and may be lawfull for his and their heires at any time within one yere nert after the ſaid ſeuen yeres erpired, to haue, ſue, and take their Writ of Error for the reuerſing of euery ſuch Fine and Recouerie. And if ſuch heire be an infant within the age of 21. yeares, then within one yere nert after the full age of ſuch infant: any thing in this act &c. notwithſtanding. 27. El. 9.

The day and yeare of the knowledge of a fine or warrant of Attorney for a recouerie ſhall be certified.

35 Euery perſon that ſhall at any time hereafter take the knowledge of any Fine, or warrant of Atturney, of any tenant or vouchée for ſuffering any common Recouerie to be leuied, knowledged, paſſed, or had, within any of the ſaid twelue Shires of Wales, Towne and Countie of Yauerford Weſt, or Counties Palantine, or ſhall certifie them, or any of them, ſhall with the Certificate of the Coord, or warrant of Atturney, certifie alſo the day and yeere wherein the ſame was acknowledged. And no perſon that taketh any ſuch knowledge of any fine or warrant for any recouery, ſhal be bound, or by any meanes enforced to certifie any ſuch knowledge or warrant, except it be within one yere nert after the ſaid knowledge taken. And no Clerke or officer in any of the ſaid twelue ſhires of Wales, Towne and Countie of Yauerford Weſt, or Counties Palantine, ſhall receiue any Writ of Couenant, or Writ of Entrie, or any other Writ, wherupon any Fine or common Recouerie is hereafter to paſſe, vnleſſe the day of the knowledge of the ſame fine and warrant ſhall appeare, in, or by ſuch Certificate, vpon paine that euery Clerke that ſhall receiue any ſuch Writ, ſhall forfeit for euery time that he ſhall ſo offend, the ſumme of xl. s. And no Atturnement, in, or vpon any ſuch Fine, in any the Courts aforeſaid, ſhalbe entred vpon record, except the partie mentioned to atturne therein, firſt haue appeared in ỳ Court in perſon, or by Atturney warranted by the hands of one of the Juſtices of the ſame Court, vpon a Writ of Quid iuris clamat, Quem redditum reddit, or Per quæ ſeruitia, as the cauſe requireth. And euery entrie of Atturnement hereafter to bee made in any of the Courts aforeſaid, wherein there ſhall be no apparance, as aforeſaid, ſhall be vtterly void, and of none effect, without any Writ of Error, or other meanes vſed for auoiding therof. 27. Eliz. 9.

Atturnement.

The office of Inrolments.

36 There ſhal be for euer an office for the Inrolments aforeſaid in euery of the ſaid twelue Shires of Wales, Towne and County of Yauerford Weſt, & Counties Palantine, which ſhall be and continue an Office for euer, called the Office of Inrolments of Fines and Recoueries. And the Juſtices of the ſaid twelue ſhires of

of Wales, towne and county of Hauerford Weſt, and counties Palantine for the time being, that is to wit, euery of them within the limits and precincts of their ſeuerall authorities and commiſſions, ſhall haue and take the care and charge, of, and for the inrolments aforeſaid, and ſhall haue and enioy the ſaide office, and the diſpoſition thereof, and carefully ſee and looke to the execution thereof. And in conſideration of their charges, paine, and trauell therein, ſhall haue & take the ſummes of money hereafter following, and no more: that is to ſay, for the inroulment and examination of euery fine, and the parts thereof v.s. And for the inroulment and examination of euery recouerie, and the parts thereof v.s. And for euery exemplification of the inroulment of euery fine and the parts thereof iij.s.iiij.d. And for euery exemplification of the inroulment of euery recouerie, and the parts thereof iij.s.iiij.d. And for the ſearch of the rolles for one yeare iiij.d. And for the copie of one ſheete of paper containing xiij. lines, iiij.d. And the Iuſtices of the ſaide courts of Aſſiſes, or great ſeſſions for the time being, within the ſaid twelue ſhires of Wales, Towne and Countie of Hauerford Weſt, and Counties Palantine, or any one of them within the ſeuerall limits and precincts of their ſaid ſeuerall Commiſſions, ſhall examine the inroulment of euery ſuch Fine and Recouerie, and of the parts therof, and after ſuch examination of the inroulment of euery ſuch Fine and Recouerie, and of the parts therof, ſhall immediatly write his name that ſo examineth, with his owne hand in the roule thereof, vpon paine that the ſaid Iuſtices ſhall forfeit to the Q. Maieſtie the ſumme of xl.s. for euery time that they or one of them ſhal make default of ſuch examination or writing of his or their name, as is aforeſaid. And it ſhall & may be lawfull to & for the ſaid Iuſtices, or any of thē for the time being, to take order in all things that ſhal be conuenient & nædfull for the inroulments aforeſaid. And vpon examination in the ſaid Courts, to aſſeſſe ſuch fine or amerciament vpon any cheriſe, clerk, deputie, atturney, or other perſon for his & their miſpriſion, contempt, & negligence, for not doing, or miſdoing in any thing, of, in, or concerning the ſaid fines or recoueries, or any part of them, or either of them, as by the ſaid I. for the time being, or any one of thē ſhall be thought mæt & conuenient. The ſaid fine & amerciament to be eſtreated amongſt other fines & amerciaments of ỳ court, where ſuch offence or miſpriſion ſhalbe cōmitted. 27. El. 9.

Fées for inrolments and exemplifications of fines & recoueries.

Aſſeſſing of fines for miſpriſion, contempt, or negligence.

37 The emplification of any ſuch inroulment of any fine, or recouery, or of any part thereof, within any of the ſaid twelue ſhires of Wales, or of the ſaid town and countie of Hauerford Weſt, vnder the iudiciall ſeale of the ſaid Shire, Towne, or Countie, where ſuch fine or recouerie was leuied, had, or paſſed, & the exemplification of any ſuch inroulment of any fine or recouerie, or of any part thereof, within any of the ſaid Counties Palantine, vnder the Seale of that County Palantine, where ſuch fine or recouerie was leuied, had, or paſſed, ſhal be of as good force & validitie in the law, to all intents, reſpects, & purpoſes, for ſuch part, & ſo much of any of them, as ſhalbe ſo exemplified, as the very originall record it ſelfe being extant & remaining, were, or ought by Law to be. 27. Eliz. 9.

The exemplification of as good force, as the originall record.

38 It ſhall be lawfull for the Iuſtices Clerkes, authorized by their warrant in the ſaid ſeuerall offices & places, where the ſame records, or any of them do or ſhall remaine, to write out, or inroll the ſame records, & euery part thereof. And the ſaid records, nor any of them, for the writing out, or making of the rols thereof, by the Clerkes of the ſaid Iuſtices, ſhalbe brought or caried forth of the ſaid offices or places. 27. Eliz. 9.

Records ſhall not be remoued forth of the offices.

39 None of the ſaid fines or recoueries aforeſaid heretofore leuied, paſſed, or ſuffered, which ſhalbe exemplified vnder any iudiciall ſeale of any of the ſaid ſhires of Wales, or towne or county of Hauerford Weſt, or vnder the ſeale of any of the ſaid counties Palantine, according to the forme of this act, ſhall after ſuch exemplifications had, be in any wiſe amended. 27. Eliz. 9.

No amendement of fine or recouery after exēplification.

40 This

40 This Act or any thing therein contained, ſhall not in any wiſe extend to the preiudice of the heires of Sir Edward Grey Knight, Lord Powys deceaſed, or of Sir Edward Herbert Knight, or his heires or aſſignes, Henrie Vernon, or Iohn Vernon, Eſquires, or their heires or aſſignes, for, or concerning any Fine leuied, or Recouerie ſuffered, by, or againſt the ſaid Lord Powys, or any Barnies, Honors, Manors, Lands, Tenements, or Hereditaments, in the Countie of Mountgomerie, or any exemplification thereof, or for, or concerning any writ of Erro^r^ brought or to be brought for the reuerſing of any ſuch fine or recouerie: But they and euery of them ſhall haue and enioy the ſame right, title, benefite, and aduantage, to all intents and purpoſes, as if this Act had neuer bene had or made. 27. El. 9. Lord Powys Herbert, Vernon.

41 And for as much as vpon great examination it appeareth, that diuers Fines and Recoueries haue bene heretofore leuied and ſuffered of diuers Caſtles, Manors, Meſuages, Lands, Tenements, and Hereditaments, which ſometime were the inheritance of George ſometime Earle of Kent, great grandfather to Henrie now Earle of Kent, in vſe, poſſeſſion, reuerſion, or remainder, whereunto the ſaid now Earle of Kent pretendeth title, in vſe, poſſeſſion, reuerſion, or remainder, which if they be erronious, as is pretended, doe much varie from the generall cauſe and miſchiefe, for which this Statute meaneth to prouide: Therefore this Statute, nor any thing therein contained, ſhall not extend to take away any writ of Erro^r^, whereunto any perſon or perſons is now or hereafter ſhall be lawfully intituled to haue for the reuerſing of the ſaid Fines and Recoueries, or any of them heretofore leuied or ſuffered of any of the ſaid Caſtles, Manors, Meſuages, Lands, Tenements, or Hereditaments, which late were any part or parcell of the inheritance of the ſaid George ſometime Earle of Kent, in vſe, poſſeſſion, reuerſion, or remainder: any thing in this Statute &c. notwithſtanding. 27. Eliz. 9. The Earle of Kent.

1 Writs of couenant and all other writs may be ſued for fines, to be leuied of any Eccleſiaſticall profit. S. Tythes 23.

2 The fee of the Chirographer of the common place for a fine leuied. See Chirographer 1.

3 Writs ſhalbe enrolled whereupon fines ſhalbe leuied. S. Chirographer 2.

4 For the leuying of fines in Wales, making the Proclamations, and paying the K. ſiluer, and other fines. S. Wales 21. 22. 23.

Fiſh, and Fiſhers.

WHoſoeuer taketh Salmons in any water, wherein Salmons be commonly caught, from the Natiuitie of our Lady vntill Saint Martins day (except in the Countie of Lancaſter, where they may be taken at all times, ſauing betwixt Michaelmas and Candlemas) or taketh or deſtroyeth by nets or other engines young Salmons at Pill Poles, or in any other places, from the middeſt of Aprill, vntill the Feaſt of Saint Iohn Baptiſt, or doth put in any waters of this Realme, at any time of the yeare, any nets or engins whatſoeuer, by the which the frie or bréed of Salmons, Lampreyes, or other fiſh may in any wiſe be taken or deſtroyed, ſhall for the firſt offence haue his nets burned, for the ſecond be impriſoned a quarter of a yeare, and for the third a whole yeare, and ſo further, as the treſpas increaſeth: Which punihments for offences in freſh waters ſhal be executed by Conſeruators ſworne. 13. Ed. 1. 46. 13. R. 2. 19. The Juſtices of Peace ſhalbe Conſeruators of this Statute in the Counties where they be Juſtices, and they ſhall appoint vnder Conſeruators, which ſhal be ſworne. And if any be conuict of an offence committed contrarie to this Statute, he ſhalbe impriſoned, & make fine Taking of Salmons. Conſeruators

at the Juſtices diſcretion. And the Mayor of London ſhall haue the conſeruation of this Statute in the Riuers of Thames and Medway. 17. R. 2. 9. See Iuſtices of Peace 41.

Exactions on them which trauell for fiſh.

2. If the Admirall, or any Officer or Miniſter of the Admiraltie, ſhall exact, receiue, or take by himſelfe, his Seruant, or Deputie, of any Marchant, or Fiſherman, any ſumme of money, doles, or ſhares of Fiſh, or any other reward or benefit, for any licence, to paſſe this Realme into Iſeland, New found land, Ireland, or other places commodious for the getting of Fiſh, or for any other reſpect concerning the ſaid voyages, he ſhall forfeit for the firſt offence, treble the ſumme or value of the reward ſo taken, to the King and Informer &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. and for the ſecond offence ſhall loſe his office, and make fine at the Kings pleaſure. 2. E. 6. 6.

Taking of Spawne.

3 Whoſoeuer doth by any engine, cautell, waies, or meanes whatſoeuer, take and kill any young Brood, Spawne, or Frie of any Fiſh in any Floudgate, Pipe, or the tayle of any Mill, Weare, or in any Straites, Streames, Brookes, Riuers, ſalt or freſh: Or ſhall take in any of the foreſaid places, Kepper, or Shedder Salmons or Trouts, not being in ſeaſon, ſhall forfeit for euery offence xx. s. the fiſh ſo taken, and the nets, engines, &c. wherewith he toke ẏ ſame. 1. Eliz. 17.

Taking of Salmons or Trouts not ſeaſonable.

The length of fiſh which may be taken.

4 Whoſoeuer doth take and kill any Pickrell, not being in length tenne inches fiſh, or more, or any Salmon not being fiftéene inches, or any Trout not being eight inches, or any Barbell, not being in length twelue inches, or more: Or doth fiſh with any Net, Tramell, Kepe, Woore, Pinie, Creele, or other engine or deuiſe, but onely with Net or Tramell, whereof euery Meaſh ſhall bee two inches and a halfe broad, (except angling, and ſauing for the onely taking of Smelts, Loches, Minowes, Bull-heads, Gudgeons, and Eeles, in ſuch places where they haue beene vſed to bee taken and killed) ſhall forfeit for euery offence xx. s. the fiſh ſo taken, and the vnlawfull nets and engines wherewith he toke the ſame. 1. El. 17.

Of what meſh each net ought to be.

Twede, Aiſke Wye.

5 Prouided, that this Statute extend not to the fiſhing of the Riuer of Twede, or of any water, whereof the Qu. is anſwered any yearely rent or profit, nor to the Owners, Farmers, or Occupiers of the riuers of Aiſke, or Wye, in the countie of Monmouth. 1. El. 17.

6 The Lord Admirall of England, Mayor of London, and euery other perſon or perſons, bodies Politike and Corporate, which haue or ought to haue any conſeruation of any Riuer, Streams, or Water, or puniſhment of offences committed in any of them, hath authoritie to enquire by the oathes of twelue men, or more, and to heare and determine all the offences committed contrarie to the true meaning of this Act, within his iuriſdiction. 1. Eliz. ab. 17. 1. Iac. 25. To continue to the end of the firſt Seſſion of the next Parliament. S. Leetes 6. Iuſtices of Peace 40.

Deſtroying of Powles or fiſhing.

7 Whoſoeuer ſhall by day or night vnlawfully without authoritie, breake, cut downe, cut out, or deſtroy the head or damme of any Pond, Pole, Moate, Stagn, Stewe, or ſeuerall Pit, wherein Fiſh are or ſhall be put, or kored by the owner, or poſſeſſor thereof, or doe, or ſhall wrongfully fiſh in any of the ſaid ſeuerall Ponds, Poles, &c. to the intent to deſtroy, kill, take, or ſteale away any of the ſame fiſh againſt the will of the owner, or poſſeſſor of the ſame, not hauing lawfull authoritie ſo to doe, and being thereof lawfully conuicted at the ſuit of the Quéene &c. or the partie grieued, ſhall paie to the partie grieued his treble damages, ſuffer impriſonment three moneths, and then ſhall finde ſufficient ſuretie for his good abearing againſt the Quéene and all her liege people for the ſpace of ſeuen yeares after, or els ſhall remaine in priſon without baile or mainprize, vntill

till he hath found ſufficient ſuretie. And it ſhall be lawfull for the partie grieued to ſue and take his further remedie againſt euery ſuch offendor, for his loſſe and damages before the Iuſtices of Peace, Iuſtices of Aſſiſe, and Iuſtices of Oyer &c. or elſewhere, in any other the Quænes Courts of Record, and vpon ſatisfaction, or confeſſion of the dammages, to releaſe to the offendor the ſuretiſhip of good abearing at any time within the ſeauen yeares. 5. Elizabeth. 21. See Iuſtice of Peace. 34.

Packing of Salmon, and the contents of the veſſels.

8 Whoſoeuer ſelleth or putteth to ſale any Salmon, by Butte, Barrell, halfe Barrell, or other Veſſell, before it bee ſeene, except the Butte doe containe 84. Gallons, the Barrell rly. the halfe Barrell rrj. Gallons, well and faithfully packed, ſhall forfeit for euery veſſell ſo lacking meaſure, fiue ſhillings eight pence. And hee that doth not packe the great Salmon by it ſelfe, and the ſmal fiſh called Grilles by it ſelfe, but doth mingle the great Salmon with the Grilles, or broken bellied Salmon, ſhall forfeit for euery veſſell ſo packed and put to ſale, vj. s. viij. d. 22. Ed. 4. 2. 11. H. 7. 23.

Herrings.

9 Whoſoeuer putteth to ſale any Herring by Barrell, halfe Barrell, or Firkin, (except the Barrell containe thirtie two Gallons, the halfe Barrell and Firkin after the ſame rate) and that the Herring be of one times taking and ſalting, and except it be well and iuſtly couched and packed in the middeſt, euery end, and part thereof, ſhall forfeit for euery offence three ſhillings foure pence. 22. Ed. 4. 2. 11 H. 7. 23. But the Aſſiſe of rrrj. Gallons of Wine meaſure, which is about rrviij. Gallons by old Standerd, wel packed, and containing in euery Barrel a thouſand full Herring at the leaſt, ſhall be taken for true and lawfull Aſſiſe of Herring Barrels. 13. El. 11. S. 3. Ed. 3. that fiue ſcore Herrings be accounted a hundred, and ten thouſand a laſt.

Eeles.

10 Whoſoeuer putteth to ſale Eeles, except the Barrell doe containe rly. Gallons, the halfe Barrell and Firkin after the rate, or mingleth, packeth, and putteth to ſale any Red, Gallbeaten, Rotten, or ſlipped Eeles, with good Eeles, ſhal forfeit for euery ſuch offence, x. ſhillings. 22. Ed. 4. 2. 11. H. 7. 23.

How fiſh ſhall be packed.

11 Whoſoeuer putteth to ſale any barrelled fiſh, except the countable fiſh, called Tale fiſh, be packed by it ſelfe, and the ſmall fiſh called Grilles by it ſelfe, without mixture of them, and without packing of fiſh with broken bellies with Tale fiſh, or ſmall fiſh: Or doth lay Tale fiſh or ſmall fiſh double in packing: Or packeth any Tale fiſh, which doth not containe in length from the bone in the finne, to the third ioint of the tayle, fiue & twentie ynches at the leaſt: Or packeth fiſh, the napes whereof be longer then to the little bone, which is vpon the great finne, or which fiſh is not ſplatted downe, or opened to a handfull of the taile, or the bone whereof is not taken away to the nauell of the ſame fiſh, ſhall forfeit iij. s. iiij. d. for euery Barrell which ſhalbe found not packed, ſorted, mixt, naped, laid double, or not boned, as is aforeſaid &c. The one moitie of ẅ ſaid forfeitures ſhall be to the King, and the other to him or them that will ſeiſe or ſue for the ſame by A. B. P. wherein no W. E. P. &c. 22. Ed. 4. 2. 11. H. 7. 23.

What the gaugeor ſhall take for packing of fiſh.

12 Euery Gaugeor, Packer, and Searcher, ſhall take no more for gauging of a Barrell of Salmon, Herring, Fiſh, Eeles, halfe Barrell, and Firkin, then for euery peece q. and for his labour for ſearching and packing (if neede be) of a Barrell of Salmon, from head to head a pennie, and for boning, naping, and packing of a Barrell of fiſh (if need be) a pennie, and for ſearching and packing of a Barrell of Herring (if need be) two pence, and for ſearching and packing euery barrel of Eeles two pence. And ſo in halfe Barrels and Firkins of Herrings & Eeles, they ſhall take according to the former rate. And if any Gaugeor, or Searcher, or Packer doe the contrarie, he ſhal loſe his Office, & alſo be impriſoned fourty daies. But the ſaid Searcher or Packer ſhall receiue nothing of the ſaid Fees, by colour

of their Office, but onely for ſuch Buts, Barrels, &c. as by them ſhall be ſufficiently ſearched and packed, and were not ſufficiently packed before. 11. H. 7. 23. See Corporat 14.

What Herrings may bee bought of Strangers.

13 It is not lawfull to any perſon to buy of any ſtranger borne out of the Qu. obeyſance, or out of any ſtrangers bottome, any Herring being not ſufficiently ſalted, packed, and caſked (Herrings brought into this Realme by reaſon of ſhipwracke onely except) vpon paine to forfeit the Herrings ſo bought, or the value thereof. 5. El. 5.

Cod & Ling ſhalbe brought loſe into this Realme.

14 It is not lawfull to any perſon to bring into this Realme any Cod or Ling in Barrels, or other Caſkes, but loſe in bulke and by tale, to be ſold within the Realme, vpon paine to forfeit all the Cod and Ling &c. or the value thereof. 5. Eliz, 5. 1. Iac. 25. To continue till the ende of the firſt Seſſion of the next Parliament.

Fiſh brought in by ſtrangers, ſhall not be dried in England.

15 No Fiſh taken or brought into this Realme by any Stranger, nor any Fiſh commonly called Scottiſh Fiſh, or Flemmiſh Fiſh, ſhall be dried within England to be ſold, vpon paine of forfeiture of all ſuch fiſh, or the value thereof, which forfeiture ſhall be to ſuch perſon dwelling at any Towne where is any Port, Peere, or Hauen, as will ſeiſe the ſame, or ſue for the value in any court of Record, to bee employed to the repaire and maintenance of ſuch Port, Peere, or Hauen, as is next to the place where the offence ſhall bee done. 13. Elizabeth. 11.

The ſale of Herrings.

16 No Herring ſhall be bought or ſold on the Sea, vntill the Fiſhers bee come to the Hauen with their Herrings, and that the Cable of their Shippe be drawne to the Land, and the ſale of them ſhall be from the Sunne riſing vntill the Sunne ſetting, and not before, nor after, vpon paine of forfeiture thereof. 31. Edw. 3. 1.

The Quéens ſubiects may tranſport fiſh.

17 It ſhall and may be lawfull for all and euery the Quéenes ſubiects, béeing owners of any Shippes, Barkes, or Veſſels ſayling with croſſe ſayles, to receiue and take into their ſaid Shippes, or &c. any Herrings, or other Fiſh, which any alien or ſtranger ſhall buy and prouide of any of the Quéenes ſubiects within this Realme, and the ſame Herrings and Fiſh, or any of them may tranſport into any parts beyond the Seas, béeing in league or amitie with the Qu. in their ſhips or veſſels with croſſe ſailes, ſo as the ſaid aliens or ſtrangers pay to the Qu. her cuſtomes and duties for the ſame. 39. El. 10.

What cuſtoms aliens ſhal pay for fiſh.

18 All aliens and ſtrangers ſhall from time to time pay to the Qu. for all ſalted fiſh and ſalted Herrings, to be brought into this Realme all ſuch like cuſtomes and impoſitions, as are and ſhall be impoſed or ſet vpon the Qu. ſubiects in thoſe forreine Regions and Countries, Ports and Townes, from whence the ſaid ſalted fiſh, and ſalted Herrings ſhall be ſhipped and brought for the like fiſhes and Herrings, ouer and beſides the ordinarie cuſtomes which haue béene paied to the Qu. for the ſame. 39. El. 10.

Bringing in vnwholeſome fiſh.

19 If any alien or ſtranger borne, or any denizen, or naturall borne ſubiect of this Realme, ſhall bring into any hauen, port, créeke, or towne of this Realme, any ſalt fiſh, or ſalt Herrings, which ſhall not be very good, ſwéete, ſeaſonable, and méete for mens meat, and ſhall offer the ſame to be ſold, and ſhall be warned by any officer of ſuch port &c. where the ſame ſhall be offered to be ſold, that the ſame be not ſeaſonable nor méet for mens meat: Then if he or they ſhall after that offer any of the ſaid vnſeaſonable fiſh to be ſold to any perſon within this Realme, or béeing an Alien borne, and no Denizen, ſhall not depart with the ſame from the ſaid Hauen, Port, or Towne, ſo ſoone as conueniencie will ſerue: then all and euery perſon, owners thereof, ſhall forfeit to the Quéene all the ſaid vnſeaſonable fiſh, vnméete for mans meate, as before is ſaid. 39. Elizabeth. 10. 1. Iacob. 25.

To

To endure vntill the end of the firſt Seſſion of the nert Parliament.

20 No Ordinance or reſtraint made or to be made by the Fiſhmongers of London, or by any other Companie or Corporation whatſoeuer, ſhall extend, or be put in execution, during the continuance of the ſaid Acte of 39. Elizabeth 10. to reſtraine any Coaſtmen, Fiſhermen, or any other Subiects or Forreiners, for or concerning the taking, bringing in, putting to ſale, or buying of any ſalted Fiſh, or Herrings, being wholeſome and ſweete. And euery perſon, or body corporate, that ſhall make or execute any ſuch ordinance or reſtraint, ſhall for euery ſuch offence forfeit 100. pounds, to the Queene and the partie grieued, that will ſue for the ſame by Action of debt in any court of Record, wherein no Wa. E. P. &c. 39. El. 10. 43. El. 9. 1. Iacob. 25. Ordinances to reſtraine buying or ſelling of fiſh.

21 It ſhall and may be lawfull at all time and times hereafter, to and for euery ſuch watchmen, balkers, huers, conders, directers, and guiders, and all ſuch Fiſhermen and other perſons, as ſhall neceſſarily attend their ſeanes or nets for the drawing and carrying of Pilchards, Herrings, and other Seane fiſh to land or ſhoare, at the times of fiſhing for Herrings, Pilchards, and other Seane fiſh within the Counties of Somerſet, Cornewall, and Deuon, where ſuch fiſh ſhall hereafter be taken, to enter and goe into and vpon any lands, tenements, and hereditaments, which doe lie or adioyne nere vnto any fiſhing places, and fit, conuenient, and neceſſarie to watch and balke in, and to drawe or carry the ſaid fiſh on ſhoare, and there to watch for the ſaid fiſh, and to balke, hue, conde, direct, and guide the fiſhermen, which ſhall be vpon the ſaid ſea and ſea coaſts, for the taking of the ſaid fiſh, and to drawe and carrie the ſaid fiſh on land or ſhoare, any law, cuſtome, &c. notwithſtanding. 1. Iac. 23. Fiſhing in Somerſet, Deuon, Cornwall. Attendance on fiſhers.

22 If any Action of Treſpas or other ſuite ſhall be attempted and brought againſt any perſon or perſons, for entring and going on the land, for watching of the ſaid fiſh, or for balking, huing, conding, directing, or guiding of the ſaid fiſhermen in their boats vpon the ſea or ſea coaſt for taking of the ſaid fiſh, or for the landing of the ſaid fiſh, as aforeſaid, by authoritie of this Act: The defendant or defendants in any ſuch action or ſuit, ſhall & may plead not guiltie for any thing done by vertue of this Act: And vpon the triall of that iſſue, the whole matter to be giuen on both parts in euidence, according to the very truth of the ſame, and after ſuch iſſue tried for the defendant or defendants, or nonſuit of the plaintife or plaintifes after apparance, the ſame defendant or defendants to recouer his or their damages, by reaſon of his or their wrongfull veration in that behalfe, with coſts alſo in that behalfe ſuſtained, and that to be aſſeſſed by the ſame Jurie that ſhal trie the ſaid iſſue, or els by Writ to enquire of the damages, as the caſe ſhall require, for which coſts and damages ſuch defendant ſhall and may by vertue of this Act ſue forth ſuch execution as the defendant in a Repleuin may doe. 1. Iac. 23. The def. plea in treſpas.

23 Euery perſon and perſons that from and after the twentie fiue day of Julie nert enſuing this Seſſion of Parliament, ſhall erect or ſet vp any new weare or weares along the ſea ſhoare, or in any hauen, harbour, or creeke, or within 5. miles of the mouth of any hauen, or creeke, or ſhall willingly take, deſtroy, or ſpoile any ſpawn, frie, or brood of any ſea fiſh in any weare, or other engine or deuice whatſoeuer, ſhall forfeit for euery time ſo erecting, ſetting vp, taking, or ſpoiling, contrarie to this Act, r. l. to the K. and I. And euery perſon which after the firſt day of October nert in any hauen, harbour, creeke, or within fiue miles of the mouth of any hauen, harbour, or creeke of the Sea, ſhall fiſh with any Drawe-net, or Dag-net, vnder three inches Meaſhe, viz. one inch and a halfe from knot to knot (except for the taking of Smoulds in Norfolke onely) or with any net with Canuas, or other Engine, or Deuice, whereby the Spawne, Frie, or Brood of Sea fiſh may be deſtroyed, ſhall forfeit ſuch net, and alſo forfeit for euery time ſo doing, tenne Erecting of weares. Deſtroying of Spawne. The Meaſh of nets.

ſhillings, the one halfe to the vſe of the poore people of the Citie, Towne corporate, Borough, Market Towne, Parish, or Libertie, where the offence or offences ſhall be committed, and the other halfe to the perſon that ſhall ſue for the ſame, the ſaid forfeitures to be leuied to the vſes aforeſaid, by the Mayor, Bailife, or other head Officer of euery Citie, Borough, or Towne Corporate, and by warrant of one or more Iuſtices of Peace, it ſhall be lawfull for the Conſtables and Churchwardens of euery Market Towne, Parish, or Libertie, within which any ſuch offence or offences ſhall be done, by way of Diſtreſſe, and ſale of the offendors goods, rendring to them the Surpluſage, according to the order of former Statutes, in ſuch caſes of forfeitures ordained. Prouided alwaies, that this Act ſhall not extend to puniſh any perſon or perſons, for vſing any net or nets of leſſer Meſh, than is by this Statute appointed, onely for taking of Herrings, Pilchards, Sprats, or Lauydnyan, any thing in this Act to the contrarie, in any wiſe, notwithſtanding. Prouided further, That this Act ſhall not extend to the Iſle and Countie of Angleſey. 3. Iac. 12.

Angleſey.

1 For the tranſporting of Herring, and other Sea Fiſh. See Corne 1. Shippes 1.

2 For reſtraining or taking Toll of Fiſh brought into this Realme. See Shippes 2.

3 No Fiſherman ſhall anker vpon the maine ſea, in the time of common fiſhing. S. Ships 6.

4 No Fiſherman ſhall be compelled to ſerue as a ſouldier, or as a mariner, but in certaine caſes. S. Mariners 2. 3.

5 None of the Queenes Purueiors ſhall take any Fiſh from any man, that taketh the ſame in any Engliſh mans ſhip. S. Purueiors 24.

6 What Fiſh may be tranſported without Cuſtome. S. Cuſtome 5.

7 Who may buy engines to fiſh in Norfolke. 31. Ed. 3. 2.

Fiſh daies.

No fleſh ſhall be eaten on fiſh daies.

IT ſhall not be lawfull to any perſon within this Realme, to eate any Fleſh vpon any daies now vſually obſerued as Fiſh daies, (vpon paine to forfeit twentie ſhillings for euery time hee ſhall offend, or elſe ſuffer one moneths cloſe impriſonment, without baile, or mainepriſe. 35. Elizabeth 7.) And euery perſon within whoſe houſe any ſuch offence ſhall bee done, and beeing priuie, or knowing thereof, and not effectually puniſhing or diſcloſing the ſame vnto ſome publike Officer, hauing authoritie to puniſh the ſame, for euery ſuch offence ſhall forfeit thirtæne ſhillings foure pence. (35. Elizabeth 7.) All which forfeitures, for not abſtaining from meates, ſhall bee diuided into three equall parts: that is, one part to the vſe of the Quæne, the other to the Informer, the third to the common vſe of the pariſh, where the offence ſhall be committed, and to be leuied by the Church-wardens after any conuiction in that behalfe. 5. Elizabeth 5.

Conditions vpō licences.

2 But this Act concerning eating of Fleſh, ſhall not extend to any perſons hauing ſpeciall licence, vpon cauſes contained in the ſame, and graunted according to the Lawes of this Realme: euery of which licences ſhall be void, vnleſſe the ſame containe theſe conditions, viz. Euery licence made to any perſon of the degree of a Lord of the Parliament and his wife, ſhall be vpon condition, that they ſhall paie to the poore mens bore within the Pariſh where they remaine, &c. in the feaſt of the Purification of our Ladie, or within fiue daies after, xvj. s. viij. d. and to be paid within one moneth next after the ſame feaſt, vpon paine of forfeiture of the ſame licence: A knight and his wife ſhall pay yearely xiij. s. iiij. pence.

Euery

Euerie perſon vnder the ſaid degree ſhall pay yearely vj.s.viij.d. to the ſaid vſe at the forenamed time, and vpon the aforeſaid Condition. 5.Eliz.5.

3 All perſons, which by notorious ſickneſſe ſhalbe enforced, for the recouerie of their health, to eat fleſh for the time of their ſickneſſe, ſhalbe licenced by the Biſhop of the Dioceſſe, or by the Parſon, Vicar, or Curat of ſuch Pariſh where ſuch perſon is ſicke, or of one of the next Pariſh adioyning (if there be no Curat &c. in the ſame Pariſh, or if he be wilfull) which licence ſhalbe ſigned with the hand of the Biſhop, Parſon, &c. and endure no longer then the time of ſickneſſe. And if the ſickneſſe continue aboue eight daies after the licence granted, it ſhal be regiſtred in the Churche Booke, with the knowledge of one of the Churchwardens. And the partie licenced, ſhall giue to the Curat iiij.d. for euerie entrie, and it ſhall endure no longer but for his ſickneſſe. And if any licence by any Parſon, Vicar, or Curat, be granted to any perſon, other then ſuch as euidently appeare to haue need thereof, by reaſon of their ſickneſſe, not only euerie ſuch Licence ſhalbe void, but alſo euery ſuch Parſon, Curat, or Vicar, ſhall forfeit for euerie ſuch Licence otherwiſe graunted fiue markes. 5.Eliz.5. Licences to ſicke perſons.

4 No Licence ſhall extend to the eating of any Beefe, at any time of the yeare, nor to the eating of any Veale, in any yeare from the Feaſt of Saint Michael the Archangell, vnto the firſt day of May. 5.Eliz.5. Beefe & veale excepted.

5 Such perſons as haue, vpon good conſideration, any lawfull licence to eat fleſh vpon any fiſh day, be bound to haue for euery one diſh of fleſh ſerued to be eaten at their table, one vſuall diſh of Sea fiſh, freſh, or ſalt, to be likewiſe ſerued at the ſame table, and to be eaten or ſpent without fraud, or couin, as the like kind is or ſhall bee vſually eaten, or ſpent on Saturdayes (except ſuch perſons as for ſickneſſe ſhall for that time be licenced by the Biſhop, Curat, or &c. or by reaſon of age, or other impediment, allowed heretofore by the Eccleſiaſticall lawes of this Realme) vpon the paine aforeſaid. 5.El.5. 1.Iac.25. To continue vntill the end of the firſt Seſſion of the next Parliament. For one diſh of fleſh, one diſh of ſea fiſh.

6 No Butcher, or other perſon, whether he be licenced, or not licenced to kill fleſh, ſhall from hencefoorth at any time in the time of Lent, kill, or deſſe, to the intent to put to ſale any Ore, or Oren, Beeues, Beeues, Hogs, Calues, Rammes, Ewes, or Weathers, except Oren or Beeues for victualing of ſhips into forreine parts, and except all fleſh to be killed three dayes before Eaſter yerely, vpon paine to forfeit and loſe the ſame Oren, Beeues, &c. ſo killed and deſſed contrarie to this Statute, or the value of them. 1.Iac.29. Fleſh not to be killed in Lent.

7 All Iuſtices of the peace, Maiors, Bailifes, head Officers, and Conſtables, as well of cities and townes corporat, as in euerie Countie of this Realme, ſhall haue full authoritie yearely in the time of Leut, to enter into all houſes of victualers, and common victualing houſes, within their iuriſdictions, where ſuch offences ſhalbe ſuſpected to be committed, & finding any ſuch oren, beeues &c. killed or deſſed or any part or parcell of the ſame, contrarie to this Statute, ſhall take and ſeiſe the ſame as forfeited, and ſhal giue and diſtribute the ſame to priſoners, and other poore folks by their diſcretion. 1.Iac.29. Officers ſearching for fleſh killed in Lent.

8 Euery Tauerner, Inne-keeper, keeper of euery common Tabling houſe, common Cooke, common Tipler, or Alehouſe keeper offending at any time hereafter in the deſſing of any fleſh victuall, contrarie to the Statute of Ann 5.El. or contrarie to this Stat. ſhall not onely forfeit all the fleſh ſo deſſed, but alſo the penaltie impoſed by the ſaid Statute of 5.El. for euerie offence to be committed. The one halfe of all which forfeitures (except ſuch forfeitures as ſhalbe found and taken by the Iuſtices of peace, Maiors, Bailifes, head Officers, and Conſtables, according to the tenor of this Act) ſhalbe to the king, and the other halfe to ſuch perſon or perſons as ſhall ſue or informe for the ſame in any Court of Record, by A.B.P. or I. wherein Victualers deſſing of fleſh.

no

no E.P. or W. shall be allowed &c. 1. Iac. 29. To continue to the end of the first Session of the next Parliament.

Force, and forcible entrie.

The punishment for forcible entries.

WHosoeuer maketh his entrie into any lands and tenements, but in case where his entry is giuen by the Law, and that in peaceable and easie maner, and not with strong hand and multitude of people, and thereof is conuicted, shall be imprisoned, and pay a fine at the Kings pleasure. 5. Rich. 2. 7. If the plaintife in this action after the apparance of the defendant bee nonsuit, or any verdict passe against him, the defendant shall recouer costs against the plaintife, 23. H. 8. 15. S. Damages 6.

Forcible entrie, or forcible detaining of land.

2 Whosoeuer doth enter with force into any lands or tenements, or into any Benefices or Offices of the Church, or doth enter peaceably, and after doth hold them with force, vpon complaint thereof made to one or more Justices of the P. of the Countie, or to the Maior, Bailife, Sherife, Justices or Justice of P. of the citie, towne, or borough, hauing Franchise, where such forcible entry is made, the said Justice, Maior, or &c. shal within conuenient time take sufficient power of the same Countie, Citie, &c. and at the costs of the plaintife, goe to the place where the force is made: And if he do find any that made such forcible entry, or that hold the place with force after peaceable entry made, he shall take the offenders, and commit them to the next Gaole, there to remaine conuict by record of the same Justice, vntill they haue paied a fine to the K. And whether the parties which made such entries be present, or gone at the comming of the Justice, the said Justice, Maior, &c. shal in some good towne or cõuenient place, nere vnto the place where such force was made, inquire by a sufficient Jurie of the same Countie, Citie, &c. of them which made such forcible entries: And if it bee found before them, that any haue made entrie contrarie to this Stat. the said Justice, Maior, &c. shall reseise the said lands or tenements so entred vpon, and thereof put the partie in possession, which in such sort was put out. 15. R. 2. 2. 8. H. 6. 9. S. Iust of P. 89.

A feoffement of lands obtained by force.

3 And if any person after such entry or holding with force, will make a feoffement or other discontinuance to any Lord or other person, to haue maintenance therein, the same is vtterly void. And also in the cases aforesaid, the partie grieued may haue an Assise of Nouel diss. or an action of Trespas against the disseisor, and if the defendant be attainted of force, he shal answer to the plaintife his treble damages, and also pay a fine to the King. 8. H. 6. 9. 1. R. 2. 9.

Three yeares possession.

4 Prouided alwayes, that they which kepe their possessions with force in any lands and tenements, whereof they or their ancestors, or they whose estate they haue in such lands or tenements haue continued their possessions in the same by iij. yeares, or more, be not endamaged by force of this Stat. 8. H. 6. 9. No restitution vpon any Indictment of forcible entrie, or holding with force shall be made to any person or persons, if the person or persons so indicted hath had the occupation, or hath bene in quiet possession by the space of three whole yeres together, next before the day of such Indictment so found, and his, her, or their estate or estates therein not ended nor determined, which the partie indicted shall and may alledge for stay of restitution, and restitution to stay vntill that be tried, if the other will deny or trauerse the same. And if the same allegation bee tried against the same person or persons so indicted, then the same person or persons so indicted to pay such costs and damages to the other partie, as shalbe assessed by the Judges or Justices, before whom the same shalbe tried, the same costs and damages to be recouered and leuied as is vsuall for costs and damages contained in Iudgements vpon other actions. 31. Eliz. 11.

5 If the Sheriſe or any other of the Countie do not attend vpon the Iuſtice to go and aſſiſt him, to arreſt ſuch offendors, he or they ſo offending, ſhall be impriſoned, and pay a fine to the King. 15.R.2.2. Eeh man ſhall helpe to remoue force.

6 Whoſoeuer maketh any forcible entrie into another mans lands in his owne right, to his owne vſe, or in any other mans right, to his vſe, by the way of maintenance, and thereof is attainted in an Aſſiſe at the ſuit of the partie grieued, ſhall be one yeare impriſoned, and pay to the partie grieued his double damages: And alſo ſhall anſwer to the partie grieued, damages for his goods and cattels, if vpon the ſaid diſſeiſin he toke away any. 4.H.4.8. Forcible entries by maintenance.

1 What Iurors ſhalbe returned to enquire of Forcible entries. S. Iuries 12.

2 No diſcent after a forcible diſſeiſin ſhall take away any mans entry. S. Entrie 1.

3 Where a ſpeciall Aſſiſe is grantable vpon a Forcible entry. S. Aſſiſe 6.

4 For Riots, Routs, and vnlawfull aſſemblies, and all forces thereupon committed. S. Riots

5 In what caſes, in what places, and by what perſons force and armes may not be vſed. S. Armor 2.3.

6 Proces in Action vpon the Statute of Forcible entrie. S. Proces 3.

Foreſts, Chaſes, Parkes, Warrens.

NO man ſhall loſe life or member for killing of the Kings Deere, but if hee be taken therewith, and conuicted, he ſhall make a grieuous fine (if he hath any thing) if not, he ſhalbe impriſoned a yeare and a day, and after ſhall be deliuered, if he can find ſuerties, or otherwiſe he ſhall abiure the Realme &c. Charta Foreſt. 9. H.3.10. The puniſhment for killing the kings deere.

But to hunt in the night in any Foreſt, Parke, or Warren, or with painted Faces, Viſors, or other diſguiſings, to the intent he would not be knowne, and being examined before one of the K. Counſell, or a Iuſt. of Peace of the ſame ſhire, to conceale the ſame offence, or any offendor, is Felonie. 1. H.7.7. S. Felonie 24. Iuſt. of P. 16. Hunting diſguiſed.

2 The Foreſters in whoſe Bailiwiks any treſpas done within the kings Foreſts of Vert or Veniſon ſhalbe committed, ſhall preſent the ſame treſpaſſe at the next Swanimote before the Foreſters, Verdors, Regardors, Agiſtors, and other Officers of the Foreſt, which preſentment ſhalbe made by the othes of Knights, and other good and lawfull men, and not ſuſpitious, of the parts adioining, or neere where ſuch treſpas ſhalbe preſented, and where the truth may beſt be known: And the truth being perfectly knowne, then ſuch preſentment by the conſent of all the ſaid Officers, ſhalbe ſolemnly written and ſealed with their ſeales. And if any Indictment be in other maner, the ſame ſhall be void. And no man ſhall be taken or impriſoned for Vert or Veniſon, vnleſſe he be taken with the maner, or indicted in forme aforeſaid. And the chiefe Warden of the Foreſt ſhall let him to mainprize, vntill the Eire of the Foreſt, without taking any thing for his deliuerance. 9.H.3. 16. 1.E.3.8. And if any Officer of the Foreſt doth impriſon any perſon, or doth compell any perſon to make any Obligation or ranſome vnto him, againſt the ordinance aforeſaid, and is thereof attainted, hee ſhall pay the partie grieued his double damages, and make fine to the King. 7.R.2.4. The puniſhment of offendors.

No Swanimote ſhalbe holden within this Realme, but thrice in the yeare, that is to ſay, in the beginning of fifteene dayes before the feaſt of Saint Michael, when the Kings Agiſtors ſhal come together, to Agiſt his demeſne woods: And about the feaſt of S. Martin in Winter, when the Kings Agiſtors ought to receiue pawnage: And at thoſe two Swanimotes, ſhall come together the Foſters, Verdors, and Agiſtors, and none other by diſtreſſe: The third Swanimote ſhalbe in the beginning of fifteen dayes before the feaſt of Saint Iohn Baptiſt, when the K. Agiſtors do meet to hunt his Deere: Swanimotes

And

And at this Swanimote ſhall mæt the Fokters, Uerdoꝛs, & none other by diſtreſſe. Moꝛeouer, euerie foꝛtie dayes thꝛough the yeare, the Fokters, and Uerdoꝛs, ſhall mæt, to ſæ the Attachiments of the foꝛeſt, as wel foꝛ Uert, as foꝛ hunting by the pꝛeſentment of the Foꝛeſters and beſoꝛe them attached. And the ſaid Swanimotes ſhall not bæ kept, but within the Counties, in which they haue vſed to bee kept. Chart. Foreſt. 9. H. 3. 8.

Treſpas in Parkes oꝛ Ponds.

3 Whoſoeuer committeth treſpaſſe in Parkes oꝛ Ponds, ſhall make great amends to the partie, be thꝛæ yeares impꝛiſoned, make fine at the Kings pleaſure, and find ſuertie that he ſhall not commit the like offence: And if hee cannot find ſuertie, he ſhall abiure; and if he flie and haue no land, he ſhall bee pꝛoclaimed and Outlawed. And if none do ſue within a yeare and a day, the King ſhall haue the ſuit: and ſuch as be found guiltie by Enqueſt, ſhall be puniſhed, as is aboueſaid. Weſt. 1. 3. E. 1. 20.

Killing of offendoꝛs in foreſts, parkes, oꝛ warrens.

4 If any Foꝛeſter, Parker, oꝛ Warrener, find any offendoꝛs within his bailiwike, there wandꝛing, and doing hurt, which after huy and crie leuied to kæpe the peace, and obey the law, will not yæld themſelues to the ſame Foꝛeſter &c. but will flie and defend themſelues by violence: then though the Foꝛeſters &c. oꝛ any other being in their companie to kæpe the K. peace, comming to arreſt ſuch offendoꝛs, do ſlay any of the ſaid offendoꝛs, he ſhall neither ſuffer death, noꝛ ſuſtaine any other punihment thereſoꝛe. But if any of the ſaid Foꝛeſters, Parkers, oꝛ Warreners, by reaſon of any contention, deſpight, oꝛ hatred, beſoꝛe conceiued, will lay to any mans charge paſſing thꝛough his bailiwike, that he came thither to do hurt, whereas he did not, neither was found wandꝛing oꝛ offending, and ſo kill him, and thereof be conuicted, he ſhalbe puniſhed foꝛ his death, as he ought to be puniſhed foꝛ the death of another being in the kings peace. 21. E. 1.

Noble men may hunt the K. game.

5 It is lawfull foꝛ euery Archbiſhop, Biſhop, Earle, oꝛ Baron, comming to the King at his commandement, and paſſing by his Foꝛeſt, to take one oꝛ two of his Dœre by the view of the Foſter, if he be pꝛeſent, oꝛ elſe he ſhall cauſe a hoꝛne to bæ blowne, leaſt he ſhould ſeeme to ſteale it. And likewiſe they may do, as they returne home. Chart. Foreſt. 9. H 3. 11.

Lawing of dogges.

6 Rangers ſhall go thꝛough the Foꝛeſt to make their range, as it hath bæn accuſtomed, and none otherwiſe: And dogges ſhalbe lawed euerie thꝛæ yeres, when the range is made by the teſtimonie of honeſt men, in thoſe Foꝛeſts where dogges haue bin vſed to be lawed, & not elſewhere, viz. the thꝛee clawes of the foꝛefoot ſhall be cut off by the ſkin, and he whoſe dogge is not found lawed, ſhalbe amerced iij. s. But no Dꝛe ſhalbe taken foꝛ the lawing of dogges. Chart. Foreſt. 9. H. 3. 5. 6.

The Jurie ſhal giue their verdict where they receiue their charge.

7 No Jurie ſhalbe compelled againſt their wils, by thꝛeatnings, oꝛ impꝛiſonment, to trauell from the place where their charge was giuen them, to giue their verdict, noꝛ yet to giue their verdict otherwiſe then their cõſcience doth moue them foꝛ any treſpaſſe committed within the Foꝛeſt. 7. R. 2. 3. Neither ſhal thoſe perſons which do remaine without the Foꝛeſt, come beſoꝛe the Juſt. of the Foꝛeſt by common ſummõs, except they be impleaded, oꝛ pledges of any perſon oꝛ perſons which be attached foꝛ the Foꝛeſt. Chart. Foreſt. 9. H. 3. 3.

Euerie Juſt. foꝛ the Foꝛeſt may make Deputies.

8 Euery Juſtice of the K. Foꝛeſts, Parkes, and Chaſes, within this Realme, by their wꝛiting ſealed with the ſeale of their office, ſhall make and appoint as many Deputie oꝛ Deputies, foꝛ the exerciſing of the ſame office of the Juſtices of the Foꝛeſts, as to ſuch Juſtices from time to time ſhalbe thought cõuenient, which deputie and deputies ſo appointed, ſhall haue like authoꝛitie to do & execute all things concerning the K. Foꝛeſts, Parkes, and Chaſes, and all other things concerning the Office of the Juſt. of the Foꝛeſts to all intents, and in as ample manner as the ſame Juſtice may lawfully do, and as though the ſame Juſt. were there perſonally pꝛeſent. 32. H. 8. 35.

9 If any person or persons, shall in the night time, or by day, wrongfully or vnlawfully, breake or enter into any Parke impaled, or any other seuerall grounds inclosed with wall, pale, or hedge, and vsed or kept for the keeping, breeding, & cherishing of any Deere, or Conies, and wrongfully or vnlawfully shall hunt, driue, or chase out, or take, kill, or slay, any Deere, or Conies, within any such impaled park, or closed ground with pale, wall, or other inclosure, as aforesaid, against the will, mind, or pleasure, of the owners, occupiers, or possessioners of the same, not hauing lawfull title or authoritie so to do, & thereof shalbe lawfully conuicted at the suit of the K. his heirs or successors, or the partie grieued, shal suffer imprisonmẽt of his or their bodies, by the space of iij. moneths, And also shal yeld & pay to the party grieued his treble damages & costs, to be assessed and rated by the Iust. before whom he or they shalbe conuicted, after the said iij. moneths expired, & shall find sufficient suerties for his & their good abearing, against the K. his heirs and successors, and all his liege people, for the space of vij. yeres after, or else shal remain and continue still in prison, without bail or mainprise, vntill such time as he or they so offending, shal find sufficient suerties, during the said time & space of vij. yeres. And it shall & may be lawfull to the partie grieued, to sue and take his further remedie against al and euery such offendor & offendors, for his losse and damages, and to recouer the treble value of the same, in that behalfe, as well before the Iust. of Oyer or Terminer, Iust. of Assise in their circuits, & Iust. of the P. & gaole deliuerie in their Sessions, or elsewhere, in any other the K. Courts of Record at West. And vpon true satisfaction of the said treble damages to the partie grieued, or vpon the cõfession or acknowledgement therof by the said party offending, before the Iust. in open Sessions holden for the Countie, wherein the same offence shalbe committed, It shalbe at the libertie of the said partie grieued, to whom the said offence is committed, to release at his pleasure, the suretiship of the good behauiour, at any time within the said vij. yeres, or before, Any thing in this act before mentioned to the contrary notwithstanding. 3 Iac. 13.

Breaking a Parke, or Warren, and hunting Deer or Conies.

10 If any person or persons, not hauing any Mannors, Lands, Tenements, or Hereditaments, of the clere yerely value of forty pounds, or not worth in goods or chattels, the summe of two hundred pounds, shall vse any Gunne, Bow, or Crossebow, to kill any Deere, or Conies, or shall keepe any Buckstall, or Engin, Hayes, Gatenets, Pursenets, Ferrets, or Cony Dogges, except such person or persons, as shall haue any ground imparked with pale, or inclosed with pale, or hedge, as aforesaid, vsed for the keeping, breeding, or cherishing of any Deere or Conies, the encrease of which said Conies, shall amount to the clere yearely value of fortie shillings to bee letten at the least, or Keepers, or Warreners, in their Parkes, Warrens, or Grounds, belonging to their charge, Then any person hauing lands, tenements, or hereditaments, of the clere yearely value of an hundred pounds in fee simple, fee taile, or for life, in his owne right, or in the right of his wife, may take from the person or possession of such malefactor, or malefactors, and to his owne vse for euer keepe such Gunnes, Bowes, Buckstals, or &c. 3. Iac. 13. S. Hunters &c. 2.

Shooting with Gun, or Bow, at deere or conies.

Keeping of Hayes, Purlnets, Ferrets

11 Prouided alwaies, that this Act do not extend to any Parke, or inclosed ground, hereafter to be made and vsed for Deere or Conies, without the graunt or licence of the K. his heirs or successors, Nor shall extend to any offence or offences concerning the hunting, chasing, or killing of Deere, or Conies, which shal be done or committed in the day time, but onely to such offences as shalbe hereafter done or committed in the night time onely, Any thing in this Act contained to the contrary thereof notwithstanding. 3. Iac. 13. S. Iust. of P. 34.

Parkes hereafter made.

Onely the nights offence punished.

1 How each person may vse his woods, grounds, and other things which he hath within the Forest. S. Woods 23. 24. 25.

2 Of-

2 Officers of Forreſts ſhall not be ſworne in Enqueſts. S. Iuries 4.

3 A man hauing no Parke, &c. of his owne, ſhall not keepe any Buckſtals, or Deere hayes. S. Hunting 3.

4 No man ſhall ſtalke but in his owne ground. S. Hunting 4.

5 How long woods felled in a Parke or ground incloſed for Deere, ſhall be preſerued from cattell. S. Woods 20.

6 He which hath a Parke and Deere therein, ſhall be charged to keepe certaine horſes therein. S. Horſes 1.

7 Where driftes ſhall bee made of Forreſts or Chaſes, when, and by whom. S. Horſes 7.

8 When a High-way in or by a Forreſt or Parke ſhall bee enlarged. S. Highwayes 18.

S. 25. Ed. 3. 7.

Forfeitures.

No forf. for killing of certaine robbers, or felons.

IF any perſon ſhalbe indicted or appealed, of, or for the death of any ſuch euill diſpoſed perſon, which attempteth felониouſly to rob or murder him, in, or nigh any common high-way, cart way, horſe-way, or foot-way, or in his manſion or dwelling place, or for the killing of him which attempteth burglarie to breake his dwelling houſe in the night, and of the ſame by verdict ſhalbe ſo found and tried, he ſhall loſe neither lands, tenements, goods, or cattels, for the death of any ſuch euill diſpoſed perſon, but ſhalbe fully diſcharged thereof, as if hee were acquit of the death of the ſaid perſon. 24. H. 8. 5.

Forf. by attainder of high treaſon.

2 Euerie offendor being lawfully conuicted of high Treaſon, by verdict, confeſſion, outlawrie, or preſentment, ſhall forf. to the K. all ſuch lands, tenements, and hereditaments, which he ſhall haue in his owne right, in vſe or poſſeſſion, of any eſtate of inheritance, at the time of ſuch treaſon committed, or at any time after. 5. E. 6. 11. But there ſhalbe no corruption of blod to any heire, nor the wife of the offendor ſhal forf. her dower, by the attainder of any perſon for any of the offences made treaſon by the Stat. prouided 5. El. 1. for the aſſucance of the Qu. power ouer all eſtates, or by the Stat. prouided 5. El. 11. againſt the clipping, waſhing, rounding, or filing of Coine, or by the Stat. prouided 18. El. 1. againſt the impairing of the Qu. coine, and other coines currant within this Realme.

Forf. of dead perſons.

3 For forfeitures of Treaſons of dead perſons not attainted, nor adiudged in their liues, their heires, or land tenants, ſhall not be impeached or chalenged, nor of any other forfeiture, except the forf. in old time adiudged after the death of the perſons by preſentment in Eire, or in the K. bench, as of felons of themſelues and others. Ann 34. H. 3. 12.

1 Where a woman ſhall forfeit her land for making an vnlawfull contract of Matrimonie. S. Women 10.

2 Where there ſhall bee forf. of land for committing or conſenting to Rape. S. Rape 3.

3 Who ſhall haue the forfeitures of all Felons goods and lands condemned. S. Prerog. 16.

4 Who ſhall haue the forf. of a Biſhops tenants attainted during the Vacation. S. Prerog. 14.

5 No perſon arreſted and impriſoned ſhall forf. his goods before he bee conuicted, &c. S. Sherifes 26.

Forging of deeds and writings.

IF any perſon or perſons, after the firſt day of June next, vpon his or their owne head and imaginations, or by falſe conſpiracie and fraud with others, ſhall wittingly,

tingly, ſubtilly, & falſly, forge or make, or ſubtilly cauſe, or wittingly aſſent to be forged, or made, any falſe deed, charter, or writing ſealed, Court roll, or the Will of any perſon or perſons, in writing, to the intent that the eſtate of the freehold or inheritance, of any perſon or perſons, of, in, or to any lands, tenements, or hereditaments, freehold, or copihold, or the right, title, or intereſt, of any perſon or perſons, of, in, or to the ſame, or any of them, ſhall or may be moleſted, troubled, defeated, recouered, or charged, Or ſhal pronounce, publiſh, or ſhew forth in euidence, any ſuch falſe and forged deed, charter, writing, Court roll, or Will, as true, knowing the ſame to be falſe and forged, to the intent aforeſaid, & ſhalbe thereof conuicted, either vpon action or actions of Forger of falſe deeds, founded vpon this Stat. at the ſuit of the partie grieued, or otherwiſe according to the courſe of the law, or vpon bill or information exhibited in the Starre chamber, he ſhall pay to the partie grieued his double coſts and damages, to be found or aſſeſſed in the Court where ſuch conuiction ſhalbe, and alſo ſhall be ſet vpon the Pillory in ſome open Market towne or open place, and there haue both his eares cut off, & his noſtrils ſlit, cut, and ſeared with a hot yron, ſo as they may remaine for a perpetuall marke of his falſhood, and ſhall forf. to the K. the whole iſſues and profits of his lands, during his life, & ſhall ſuffer perpetuall impriſonment during his life. The ſaid damages & coſts to be recouered at the ſuit of the partie grieued, to bee firſt paid and leuied of the goods and cattels of the offendor, and of the iſſues and profits of his lands &c. or of one or both of them, the title of the K. &c. notwithſtanding. 5. El. 14.

Forging of any deeds whereby anothers freehold ſhalbe troubled.

2 If any perſon or perſons, after the ſaid firſt day of June, vpon his or their owne imagination, or by falſe conſpiracie or fraud with any other, ſhal wittingly, ſubtilly, and falſely, forge, or make, or wittingly, ſubtilly, & falſly, cauſe or aſſent to be made & forged, any falſe charter, deed, or writing, to the intent that any perſon or perſons ſhall or may haue or claime any eſtate or intereſt for terme of yeres, of, in, or to any manor, lands, tenements, or hereditaments, not being copihold, or any annuitie in fee ſimple, fee taile, for terme of life, liues, or yeares, or ſhall, as is aforeſaid, forge, make, or cauſe, or aſſent to be made or forged, any obligation, or bill obligatorie, or any acquitance, releaſe, or other diſcharge of any debt, account, action, ſuit, demaund, or other thing perſonall: or ſhall pronounce, publiſh, or giue in euidence any ſuch falſe or forged charter, deed, writing, obligation, bill obligatorie, acquitance, releaſe, or diſcharge, as true, knowing the ſame to be falſe and forged, and ſhalbe thereof conuict by any of the waies or meanes aforeſaid: Then he ſhall pay to the partie grieued his double coſts & damages, to be found & aſſeſſed in ſuch court where the ſaid conuiction ſhalbe had, & alſo ſhalbe ſet vpon the pillory in ſome open market towne, or other open place, & there haue one of his eares cut off, & alſo ſhall ſuffer impriſonmẽt by the ſpace of one whol yere without bail or mainprize. 5. El. 14

Forging a deed whereby a leaſe or annuitie may be claimed.

Forging an obligation, acquitance, releaſe.

Giuing in euidence a forged deed.

3 The partie and parties grieued by reaſon of any the offences aforeſaid, ſhall and may at his and their pleaſure, haue, & ſue his action of Forger of falſe deedes, vpon this ſtatute againſt any the offendors in the ſame, by original writ out of the Chancerie, and ſhall haue like proces vpon the ſame, as in caſes of treſpaſſe at the Common law, Or may at his pleaſure take his ſuit againſt any ſuch offendors in any the premiſſes, by bill in the K. Bench, or in the Exchequer, wherin no E. I. P. &c. But if the defendant ſhalbe conuicted for any the offences aforeſaid, according to the order and forme aboue limited, and ſhall haue receiued punihment corporal according to this Act, then he ſhal not eftſones be impeached for the ſame offences. But though the plaintife in any ſuch action or bill to be ſued, ſhall after verdict paſſed againſt the defendant, releaſe or diſcharge the iudgement or execution vpon the ſame, or otherwiſe ſuffer the ſame to be diſcontinued, yet neuertheleſſe the ſame releaſe, diſcharge, or diſcontinuance, ſhall extend onely to diſcharge ſuch coſts and damages as the ſame plaintife ſhould haue had againſt the defendant, & the Iudges

Generall remedies for the partie grieued.

No perſon twice impeached of one offence.

The pr releaſe ſhall onely diſcharge his remedie.

before whom the ſaid action or ſuit ſhall be taken, ſhall and may proceede to iudgement of and vpon the reſidue of the ſaid penalties and forfeitures, and commaund execution vpon the ſame, the ſaid diſcontinuance or other diſcharge notwithſtanding. 5. El. 14.

The puniſhment for the ſecond offence

4 If any perſon or perſons being conuicted or condemned of any of the offences aforeſaid, by any the waies or meanes aboue limited, ſhall after any ſuch his or their conuiction eftſoones, commit any of the ſaid offences in forme aforeſaid, and ſhall be thereof conuicted or attainted, then euery ſuch ſecond offence ſhall be adiudged felonie, without benefit of Clergie or Sanctuarie: But there ſhall be no corruption of blod, diſheritance of the heire, or forf. of dower by this felonie. Sauing to euery perſon (other than the ſaid offendors, and ſuch as claime to their vſes) all ſuch rights, title, and other profits which any of them ſhall haue, at the time of ſuch conuiction or attainder, or before, in or to any the lands, &c. of any ſuch perſon conuicted. And all and euery Iuſtices of Oyer and determiner, and Iuſtices of Aſſiſe in their Circuits, and euery of them, ſhall haue authoritie in their open and generall Seſſions, to enquire of, heare, and determine all and euery the offences aforeſaid, committed or done within the limits of their Commiſſion, and to make Proces for the execution of the ſame, as they may do againſt any perſon being indicted before them of treſpaſſe, or lawfully conuicted thereof. 5. El. 14.

Others rights ſaued.

Forging of deeds before the Statute.

5 If any perſon or perſons whatſoeuer hath of his or their owne head, or by falſe conſpiracy & fraud with any other, wittingly, ſubtilly, and falſly forged, or made, or ſhall before the 1. day of June nert comming, forge & make any falſe deed, charter, or writing ſealed, or the will of any perſon in writing, or any court roll, to the intent that the eſtate of freehold, or inheritance, or the right, title, or intereſt of inheritãce or freehold of any perſons of, in, or to any mannors, lands, tenements, or hereditaments, being freehold or copihold, Or that by any ſuch forged deed, charter, court roll, or writing, before the ſaid 1. day of June, ſhall or may be moleſted, troubled, or defeated of any the ſaid eſtates of any lands, tenements, or hereditaments, being freehold or copihold: Or if any perſon or perſons haue hertofore publiſhed or ſhewed forth in euidence, or before the ſaid 1. day of June, ſhal publiſh or ſhew in euidẽce for the prowfe of any title, any falſe & forged deed, charter, writing, will, or court roll, as true, knowing the ſame to be falſe & forged, as is aforeſaid, to the intent aboue remembred, & ſhalbe therof attainted or conuicted, according to the order of ỹ law, either in an action of Forger of falſe faits, or in an action vpon the caſe, at the ſuit of the party grieued, his heirs, executors, or aſſignes, Then the partie ſo conuicted ſhall yeld & pay damages & coſts of the ſuit to the plaintife, as ſhalbe aſſeſſed according to the law of the Realm, in any ſuch like action or ſuit, & ſhall ſuffer impriſonment, & ſhall pay fine & ranſome at the pleaſure of the Quẽ. her heires or ſucceſſors.

Pleading a forged deed made before the Statute.

And if any perſon or perſons ſhall after the 1. day of June nert cõming, plead, publiſh, or ſhew forth in euidence, or otherwiſe for the prowfe of any title, any falſe and forged deed, charter, writing, will, or court rol, heretofore falſly made and forged, or to be falſly made & forged before the ſaid 1. day of June, as true, knowing the ſame to be falſe & forged, to the intent to haue or claime thereby any eſtate of inheritãce, freehold, or leaſe of yeares, in or to any manors, lands, tenements, or hereditamẽts or any annuitie, rent or profit forth of any manors, lands, &c. or to the intent to alter, deſeat, moleſt, trouble, charge, or recouer the eſtate of inheritance, freehold, or leaſe for yeres of any perſon, in any manors, lands, tenements, rents, or hereditaments: Then euery perſon & perſons that ſo ſhall offend, & ſhall be therof cõuicted, in forme firſt aboue remembred, ſhal pay vnto the partie grieued double coſts & damages, & ſhall haue impriſonment, loſſe of ears, ſlitting & ſearing of noſe, & forf. of lands in the ſame maner & forme as aboue is limited, for any perſon that ſhall offend by forging or publiſhing of any falſe deed or writing, as is aforeſaid, after the foreſaid 1. day of June. 5. El. 14.

6 But

6 But this Act ſhall not charge any Ordinarie, or any of their Commiſſaries, Officials, Regiſters, or any other their Officers with any of the offences aforeſaid, for putting their ſeale of Office to any Wil exhibited vnto them, not knowing the ſame to be falſe or forged, or for writing of the ſaid Wil, or probat of the ſame: Neither ſhall it be hurtfull to any Proctor, Aduocat, or Regiſter, of any Eccleſiaſticall Court within this Realme, for the writing, ſetting forth, or pleading of any Plory made according to the Eccleſiaſtical lawes or cuſtomes heretofore vſed and allowed by the Eccleſiaſticall Courts of this Realme, for the apparance of any perſon, cited to appeare in any of the ſaid Courts: Nor to any Archdeacon, or Officiall, for putting their Autentique ſeale to the ſaid Plorie, neither yet to any Iudge Eccleſiaſticall, for admitting the ſame. Neither ſhall this Act extend to any Atturney, Lawyer, or Counſellor, that ſhal for his Client plead, ſhew forth, or giue in euidẽce any falſe and forged dæd, charter, will, court roll, or other writing, for true, or good, being not partie and priuie to the forging of the ſame, for the pleading, ſhewing forth, or giuing in euidence of the ſame. Neither ſhall this Act extend to any perſon that ſhall plead or ſhew forth any dæd or writing, exemplified vnder the great ſeale or the ſeale of any other Autentique Court of this Realme: Nor ſhall extend to any Iudge or Iuſtice, or other perſon that ſhall cauſe any ſeale of any Court to be ſet to any ſuch dæd, charter, or writing inrolled, not knowing the ſame to be falſe or forged: Any thing in this Act &c. notwithſtanding. 5. Eliz. 14.

These perſõs are not chargeable by this Statute.

1 A ſeruant taken with a forged teſtimoniall, ſhall be whipped as a Vagabond. S. Labourers 8.

2 For getting other mens goods by a counterfeit or forged token, or letters. S. Counterf. 1.

Forestallers, Ingroſſers, Regrators.

WHoſoeuer doth buy or cauſe to be bought any Marchãdiſe, victual, or other thing comming by land or water, towards any Faire or market, to be ſold in the ſame, or comming toward any citie, port, hauen, creeke, or rode of this realm, or Wales, from any part beyond the ſea, to be ſold, or make any bargaine, contract, or promiſe, for the hauing, or buying of the ſame, or any part therof ſo comming as is aforeſaid, before the ſaid marchandiſe, victuals, or other thing ſhalbe in the market, faire, citie, port, hauen, creeke, or rode, readie to be ſold, or ſhall make any motion by word, letter, meſſage, or otherwiſe, to any perſon or perſons for the enhaunſing of the price, or dearer ſelling of any of the things aboue mentioned, or elſe diſſwade, moue, or ſtir, any perſon comming to the market or faire, to forbear to bring any of the things aboue mentioned, to any faire, market, citie, &c. to be ſold as is aforeſaid, ſhalbe adiudged a Foreſtaller. 5. E. 6 14. An. 34. E. 1. It was enacted, that no Foreſtaller ſhould be ſuffered to dwell in any towne, for he is a manifeſt oppreſſor of the poore, a publike enemie of the Countrey, and whole Commonwealth.

who is a Foreſtaller.

2 Whoſoeuer ſhall regrate or get into his poſſeſſion, in any Faire or Market, any Corne, Wine, Fiſh, Butter, Cheeſe, Candels, Tallow, Sheepe, Lambes, Calues, Swine, Pigs, Geeſe, Capons, Hens, Chickins, Pigeons, Conies, or other dead victuals whatſoeuer, that ſhalbe brought to any Faire or market within this Realme, or Wales, to be ſold, and doth ſell the ſame againe in any Faire or Market, holden in the ſame place, or in any other Faire or Market within foure miles thereof, ſhalbe reputed a Regrator. 5. E. 6. 14.

who is a Regrator.

3 Whoſoeuer doth ingroſſe, or get into his hands by buying, contracting, or promiſe taking (other then by demiſe, grant, or leaſe of land or tith) any corne growing in the fields, or any other corne, butter, cheeſe, fiſh, or other dead victuall, within England, to the intent to ſell the ſame again, ſhalbe taken an vnlawful Ingroſſer. 5. E. 6. 14.

who is an Ingroſſer.

Puniſhment of the offēdors

4 Whoſoeuer offendeth in any of the things beſore rehearſed, and being thereof duely conuicted, or attainted by the Lawes of this Realme, or after the ſorme hereafter mentioned, within y. yeres next after ſuch offence committed, ſhal for his firſt offence, ſuffer impriſonment by the ſpace of y. moneths, without baile or mainprize, and forfeit the value of the goods, cattell and victual ſo by him bought or had: And being thereof once lawfully conuicted or attainted, ſhall for his ſecond offence, being thereof eſtſoones lawfully conuicted &c. ſuffer impriſonment by the ſpace of one halfe yeare, without baile or mainprize, and ſhall loſe the double value of the goods &c. ſo bought or had, as is aforeſaid: And being twice conuicted of any of the ſaid offences, ſhall eſtſoones offend the third time, and be therof lawfully conuicted or attainted, he for his third offence ſhalbe ſet on the pillorie in the citie, towne or place where he ſhall dwell, and ſhall forfeit all his goods and cattell which hée hath to his owne vſe, and ſhalbe committed to priſon, and there remaine during the K. pleaſure. But he that is once puniſhed for any offence, ſhall not be eſtſoones troubled or puniſhed for the ſame. 5. E. 6. 14. Who ſhall haue the forf. and how it ſhalbe leuied. S. Iuſt of P. 31.

Victuals brought from beyond the ſea

5 But this Statute ſhall not extend to any Wines, Oyles, Sugars, Spices, Currants, or other forrein victuals brought from beyond the ſea (fiſh and ſalt onely excepted) 13. El. 25.

Theſe perſōs for theſe cauſes may regrate or ingroſſe.

6 It ſhall not be adiudged any offence contrarie to this Statute, to take any cattel, corne, butter, chéeſe, or any of the aboue rehearſed things reſerued vpon any leaſe, for life, liues, or yeres, Or to buy any barley, big, or otes, the buyer whereof ſhall conuert the ſame in his houſe to mault or otemeale, Or for any Fiſhmonger, Butcher, or Poulter, for to buy any thing concerning their owne faculties which ſhall ſell the ſame againe, vpon reaſonable prices by retaile, Or for any Inholder or Victualer, for the buying of wine, or other dead victual méet for mans ſuſtenāce, to ſell the ſame againe by retaile, within his houſe, or to any of his neighbors, for their ſuſtenance for reaſonable prices, Or for the buying of any herring, dried or ſalted fiſh or ſprats, and ſold for reaſonable prices, Or for any of the Kings ſubiects dwelling within one mile of the maine Sea, to buy any fiſh freſh, or ſalted, and to ſell the ſame again at reaſonable prices, Or for the buying of any corn, fiſh, butter, or chéeſe, by any badger, lader, kidder, or carrier, allowed by thre Iuſtices of P. of that countrey where &c. which ſhall ſell the ſame againe in any faire or market, or to any Victualer, or to any other perſon for the prouiſion of his houſe, within one moneth after he bought them, Or for any common prouiſion made by any perſon of any of the aforeſaid things for any Citie, Borough, or Towne Corporat, or for the victualing of any ſhip, caſtle, or fort, Or for to buy and prouide victuals neceſſarie for the furniture and prouiſion of the inhabitants of the town of Barwick, Holley Iſland, or of the Marches of England againſt Scotland, which ſhall bée tranſported and conueied to ſuch of the places aforeſaid, as ſone as wind and weather will ſerue, Or for a common and knowne Drouer being licenced by thre J. of P. of the Countie where he dwelleth, whereof one to be of the Quorum, to buy cattel in ſuch Counties where Drouers haue bin wont to buy & ſell the ſame againe, at ſome markets or faires, being diſtant at the leaſt xl. miles from the place where hée bought them, Or for any perſon being licenced by thre Iuſt. of peace &c. to buy corne, graine, or cattell, to be carried by water from one port or place within England or Wales, vnto another, if he do ſhip or imbarke the ſame within forrie daies after he hath bought or couenanted for the ſame, and with expedition as weather ſhall ſerue to tranſport the ſame, and do bring a certificat from a Iuſt. of P. of the Countie, or Maior, or Bailife of the towne corporat, & the Cuſtomer where ſuch vnlading ſhalbe, teſtifying the ſame vnto the Cuſtomer & Comptroller of the port where the ſame were imbarked, Or for euerie perſon to buy, ingroſſe, & kéep in his

houſe

houſe corne, when wheat ſhall be commonly at the price of vj.s.viij.d. the quarter, or vnder, mault and barley at iij.s.iiij.d. Otes, or Otes maulted at v.s. Peaſe or Beanes at iiij.s. and Rie or Pelline at v.s. the quarter of Londō meaſure, or vnder, ſo that none of all the foreſaid corne, cattel, butter, cheeſe, or other commodities be bought, couenanted &c. by foreſtalling. 5.E.6.14.13.El.25.

7 This Statute of 5.E.6. or any other ſtat. made againſt Foreſtallers, Regrators, and Ingroſſers, ſhall not extend to any oile, wine, ſea fiſh vnſalted, mud fiſh, and ſalt, as any buyer or buyers vpon the ſea, by way of foreſtalling, or regrating, ſhall and do bring in any Engliſh ſubiects ſhips, craiers, or other veſſels, and diſcharge in any Port or Hauen within this Realme. 5.El.5. 1.Iac.25. To continue till the end of the next Parliament.

1 For regrating of Butter and Cheeſe. S. Butter 1.

2 No Butcher ſhall regrate any fat cattell. S. Butchers 1.

3 Who may buy cattell and ſell them againe, and within what time. S. Cattell 1.

4 He which buyeth corne for the change of his ſeed ſhal bring in as much to the market. S. Corne 10.

5 Who may engroſſe tanned Leather and ſell the ſame againe, and who not. S. Leather 36.

Franchiſes and Liberties.

Stat. prouided for Sheriffes ſhall extend to bailifs of Liberties.

EVerie Statute being in force made before 4. Februarij Anno 27. H. 8. againſt Sheriffes, Vndersheriffes, Bailifs, or other miniſters for making or returning of panels of Juries, or for due execution and ſeruing of any writ or proces, or for taking of fees, reformation of extortion, or for any other thing concerning their offices, and all paines and penalties contained in euerie ſuch ſtatute, ſhalbe extended to all Stewards, Bailifes, and other Miniſters and Officers of Liberties & Franchiſes, hauing returnes of writs, and execution thereof, in like manner as they extend to Sheriffes, Vndersheriffes, &c. as if the ſaid Bailifes, Stewards, &c. had been particularly named in ſuch ſtatutes, Sauing that the ſaid Stewards, Bailifes of Franchiſes, their deputies or clerkes may occupie their offices aboue one yere, viz. for ſo long time as they be giuen to them. 27.H.8.24.

where the K. commeth, his Courts ſhalbe kept within Franchiſes.

2 The K. Maieſtie his Steward, Marſhal, Coroner, and all his Miniſters, ſhal and may keepe their Courts for Juſtice, and execute their offices as ſhall appertain to them according to the lawes, cuſtomes and Statutes of this Realme, in all places within this Realme, as well within Liberties and Franchiſes as without, within the Verge accuſtomed to his Court, where his Highneſſe in his owne perſon ſhall come to reſt or abide. And the K. Clerke of the market, and none other during the ſame time, as well within liberties as without, ſhall exerciſe the office of Clerke of the market, notwithſtanding any priuiledge, grant, &c. But this Stat. ſhall not be preiudiciall to the Liberties of the citie of London 27.H.8.24.

Clerke of the Market.

Amerciaments for inſufficient returnes by Bailifes of Liberties.

3 The amerciaments for inſufficient returnes of Writs or other proces made by Stewards or Bailifes of Liberties, hauing returne of Writs and execution of the ſame, ſhalbe ſet vpon the heads of ſuch Stewards or Bailifs, not vpon the Sheriffes. 27.H.8.24.

1 The K. Purueior may take any victuals within Franchiſe. S. Purueiors 23.

2 No perſon hath Franchiſe or authoritie to pardon felons, or appoint Iuſtices, but the K. onely. S. Prerog. 17.

3 The K. ſhall haue the fines and amerciaments forfeited by Bailifes and Stewards of Franchiſes. S. Prerog. 20.

4 Lords of Liberties ſhall appoint expert men to ſearch or ſeale Leather. S. Leather 26.

5 The K. may ſeiſe a Franchiſe for default of purſuit or arreſting of Felons. S. Felonie 38.

6 The Lord of a Franchiſe where goods be ſhewed in a Faire or Market, vpon dayes prohibited, ſhall haue the ſame goods. S. Faires 2.

7 In whoſe name all writs, Indictments, and Proces, made within any Libertie, and in whoſe name the Teſte of the ſame ſhalbe awarded. S. Prerogatiue 18.

8 For the executing and returning of Writs in Franchiſes. S. Returnes 3. 6. 7. 8.

9 What perſons, and of what ſufficiencie ſhalbe returned by Bailifes of Franchiſes to enquire of Riots. S. Riots 13.

10 In what time Bailifes of Franchiſes ſhall array Aſſiſes, and deliuer the Copies. S. Aſſiſe 8.

11 The Sherife may not enter into any Franchiſe to execute their precepts, which be Commiſſioners to enquire of the decay of Tillage. S. Sherifes 24.

12 Where the Sherife ſhall make his Precept to a Bailife of a Franchiſe, & where he himſelfe ſhall deliuer cattell impounded. S. Sherifes 30.

Fraudulent Deeds, Gifts, &c.

Fraudulent deeds to auoid other mens duties.

ALl and euerie Feoffement, gift, grant, bargaine, alienation, and conueiance of lands, tenements, hereditaments, goods & cattels, or any of them, or of any leaſe, rent, common, or other profit or charge out of the ſame lands, hereditaments goods, &c. or any of them, by writing or otherwiſe, And all and euerie bond, ſuite, iudgement, and execution at any time had or made, ſithence the beginning of our Quéene Elizabeths raigne, or at any time hereafter to be had or made, which haue béene, and are deuiſed, and contriued of malice, fraud, couine, colluſion, or guile, to the intent &c. to delay, hinder, or defraud creditors, and others of their iuſt & lawfull actions, ſuits, debts, accompts, damages, penalties, forfeitures, hariots, mortuaries, or reliefes, ſhalbe taken and déemed only as againſt that perſon, his heirs, executors, ſucceſſors, or aſſignes, whoſe actions, ſuits, debts, accompts, &c. by ſuch guilefull, couenous, or fraudulent déeds, deuiſes, practiſes, as is aforeſaid, are, ſhal, or mought be in any wiſe diſturbed, hindered, delaied, or defrauded, to bee clérely void, and of none effect, any colour, fained conſideration, erpreſſing of vſe, or any other matter to the contratie notwithſtanding. But this Statute ſhall not extend to any eſtate or intereſt in lands, leaſes, goods, &c. lawfully aſſured vpon good conſideration, and Bona fide, to any perſon or perſons, bodies politique, or corporat, not hauing at the time of ſuch conueyance &c. any knowledge of ſuch fraud, colluſion, as is aforeſaid &c. 2. R. 2. 3. 3. H. 7. 4. 13. El. 5.

Parties to fraudulent déedes.

2 All and euerie the parties to ſuch fained or fraudulent feoffement, gift, grant, alienation, bargaine, conueiance, bond, ſuit, iudgement, execution, &c. or being priuie and knowing of the ſame, or any of them, which ſhall wittingly and willingly put in vre, auow, maintaine, iuſtifie, or defend the ſame, or any of them, as true, ſimple, and done or made bona fide, and vpon good conſideration, or ſhal alien or aſſigne any the lands, tenements, goods, leaſes, &c. to them conueied, or any part thereof, ſhall forfeit to the Qu. &c. and the partie grieued by ſuch fraudulent feoffement, gift, bond, ſuit, &c. one yeares value of the ſaid lands, &c. leaſes, rents, or other profits, and the whole value of the ſaid goods and cattels, and ſo much money as ſhall be contained in ſuch couenous and fained bond, to be recouered by A. I. B. P. &c. wherein no W. &c. E. P. &c. And being thereof lawfully conuicted, ſhall ſuffer impriſonment one halfe yeare, without baile or mainprize. 13. El. 5.

Common recoueries.

3 But common recoueries had againſt tenant in taile, or other tenant of the freehold of lands, the reuerſion or remainder, or right of reuerſion or remainder whereof

whereof then ſhall be in any other perſon, ſhall as touching ſuch perſon, and his heires which hath the reuerſion or remainder thereof, be of like force, and none other, as the ſame ſhould haue beene if this Act had neuer beene made: And no eſtate or conueyance, by reaſon whereof any perſon ſhall vſe any voucher in any writ of Formedon, ſhall be made void by this Act: But euery ſuch Voucher in any writ of Formedon, ſhall be of like force, as if this Act had not beene made. 13. Elizabeth. 5. 29. Eliz. 5.

Voucher in Formedon.

4 All and euery conueiance, graunt, charge, leaſe, eſtate, incombrance, and limitation of vſe or vſes, of, in, or out of any lands, tenements, or other hereditaments whatſoeuer, had or made at any time heretofore, ſithence the beginning of the Mu. Maieſties raigne that now is, or at any time hereafter to be had or made, for the intent and of purpoſe to defraud and deceiue ſuch perſon and perſons, bodies politike or corporate, as haue purchaſed, or ſhall afterwards purchaſe in fee ſimple, fee taile, for life, liues, or yeares, the ſame lands, tenements, and hereditaments, or any part or parcell thereof, ſo formerly conueied, graunted, leaſed, charged, incumbred, or limited in vſe, or to defraud and deceiue ſuch as haue or ſhall purchaſe any rent, profit, or commoditie, in, or out of the ſame, or any part thereof, ſhall bee deemed and taken onely as againſt that perſon and perſons, bodies politique and corporate, his and their heires, ſucceſſors, executors, adminiſtrators, and aſſignes, and againſt all and euerie other perſon and perſons, lawfully hauing or claiming, by, from, or vnder them, or any of them, which haue purchaſed or ſhall hereafter ſo purchaſe for money, or other good conſideration the ſame lands, tenements, or hereditaments, or any part or parcell thereof, or any rent, profit, or commoditie in or out of the ſame, to be vtterly void, fruſtrat, & of none effect: Any pretence, colour, fained conſideration, or erpreſſing of any vſe or vſes to the contrary notwithſtanding. 27. El. 4.

Fraudulent conueiances to defraud purchaſers.

5 All and euery the parties to ſuch fained, couenous, and fraudulent gifts, graunts, leaſes, charges, or conueiances, before erpreſſed, being priuie & knowing the ſame, or any of them, which ſhall wittingly put in vre, auowe, maintaine, iuſtifie, or defend the ſame, or any of them, as true, ſimple, and done, had, or made bona fide, or vpon good conſideration, to the diſturbance or hindrance of ỹ ſaid purchaſer, or purchaſers, leaſees, or grauntees, or of, or to the diſturbance or hindrance of their heires, ſucceſſors, executors, adminiſtrators, or aſſignes, or ſuch as haue or lawfully claime any thing by, from, or vnder them, or any of them ſhall incurre the penaltie and forfeiture of one yeares value of the ſaid lands, tenements, and hereditaments, ſo purchaſed or charged: The one moitie whereof to be to the Mu. Maieſtie her heires and ſucceſſors, and the other moitie to the partie or parties grieued by ſuch fained and fraudulent gift, grant, leaſe, conueiance, incumbrance, or limitation of vſe, to be recouered in any of the Mu. Courts of Record by A. of debt, B. P. or J. wherein no E. P. or W. &c. And alſo being thereof lawfully conuicted, ſhall ſuffer impriſonment for one halfe yeare, without baile or mainprize. 27. Elizabeth. 4.

Parties to fraudulent conueiances, which doe auow the ſame.

6 This Act or any thing therein contained, ſhall not extend or be conſtrued to impeach, defeat, make voide or fruſtrate, any conueiance, aſſignment of leaſe, aſſurance, graunt, charge, leaſe, eſtate, intereſt, or limitation of vſe or vſes, of, in, to, or out of any lands, tenements, or hereditaments, heretofore at any time had or made, or hereafter to be had or made, vpon, or for good conſideration and bona fide, to any perſon or perſons, bodies politique or corporate: Any thing before mentioned to the contrarie hereof notwithſtanding. 27. Eliz. 4.

Conueiances made vpon good conſiderations and bona fide.

7 If any perſon or perſons haue heretofore ſithence the beginning of the Mu. Maieſties raigne that now is, made, or hereafter ſhall make any conueyance, gift, graunt, demiſe, charge, limitation of vſe or vſes, or aſſurance, of, in, or out of any lands,

Conueiances with conditiõ of reuocation, or alteration.

lands, tenements, or hereditaments, with any clause, prouision, article, or condition of reuocation, determination, or alteration, at his or their will or pleasure, of such conueiance, assurance, graunts, limitations of vses, or estates, of, in, or out of the said lands, tenements, or hereditaments, or of, in, or out of any part or parcell of them, contained or mentioned in any writing, deede, or Indenture of such assurance, conueiance, graunt, or gift, and after such conueiance, graunt, gift, demise, charge, limitation of vses or assurance, so made or had, shall or doe bargaine, sell, demise, graunt, conuey, or charge the same lands, tenements, or hereditaments, or any parcell thereof, to any person or persons, bodies politique or corporate, for money or other good consideration paid or giuen, the said first conueyance, assurance, gift, graunt, demise, charge, or limitation, not by him or them reuoked, made void, or altered, according to the power and authoritie reserued, or expressed vnto him or them, in and by the said secret conueyance, assurance, gift, or grant: Then the said former conueiance, assurance, gift, demise, and graunt, as touching the said lands, tenements, and hereditaments, so after bargained, sold, conueyed, demised, or charged, against the said bargainees, vendees, lessees, grauntees, and euery of them, their heires, successors, executors, administrators, and assignes, and against all and euery person and persons which haue, shall or may lawfully claime any thing, by, from, or vnder them, or any of them, shall be deemed, taken, and adiudged to be void, frustrat, and of none effect by vertue and force of this present act. 27. Eliz. 4.

Mortgages. 8 Prouided neuertheless, that no lawfull Mortgage, made, or to be made Bona fide, and without fraud or couin vpon good consideration, shalbe impeached or impaired by force of this Act, but shall stand in the like force and effect as the same should haue done, if this Act had neuer beene had or made: Any thing in this act to ỹ contrarie, in any wise notwithstanding. 27. El. 4.

Assurances of lands defeated and the partie in possession before the stat. 9 This Act, nor any thing therein contained, shall extend to be construed to make good any purchase, graunt, lease, charge, or profit, of, in, or out of any lands, tenements, or hereditaments, heretofore made void, defeated, or vndone, by reason of any former conueyance, graunt, or assurance, so as the partie or parties, or their heires or assignes, which haue so defeated or made void the same, were in actuall possession the first day of this present Parliament, of, or in the said lands, tenements, or hereditaments, whereof, or out of which any such purchase, graunt, lease, charge, or profit was made. 27. El. 4.

Authoritie of the Starre chamber, 10 This Act, or any thing therein contained, shall not extend in any sort, to restraine or impaire the iurisdiction, power, or authoritie of the Court of Star-chamber. 27. El. 4. 39. El. 18.

1 For fraudulent deedes made by an Ecclesiasticall person, to defeat his successors of their remedie for Dilapidations. S. Dilap. 1.

2 For fraudulent conueyances to defeat the Lord of his ward, mariage, or reliefe. S. Wards 1. 2. 24.

3 For fraudulent conueyances made of an Abbey, Chauntrie, Colledge, or free Chappell lands. S. Monasteries 4. 9. 25.

4 For Collateral & fraudulent assurances made of lands to the vse of any church, chappel, &c. S. Mortmaine 8.

5 For fraudulent conueyance to defeat the Qu. or any other of any benefit that may arise vnto them by the Stat. of 23. El. 1. S. Recusants 5.

6 Statutes marchant, and of the Staple, shall be entred of Record to detect fraud in them, if any be intended. S. Statutes 15. 16.

Freehold.

WHosoeuer doth constraine any person to appeare before the Counsell of a Lord, Ladie, or any other, to answer for his freehold, or any thing touching

ching his freehold, or for any other thing reall or personall, which belongeth to the Law of the Realme in any manner, shall forfeit to the King twentie pounds. 15.R. 2.12.16.R.2.2. No man shall distraine his Freeholder, to answer for his freehold or any thing thereunto belonging without the Kings writ, nor shall cause his freeholder to sweare against his will; for that no man can doe without the Kings commandement. Marlb.52.H.3.22. None shall be distrained to doe more service for a Knights fee, or his Freehold, then is due. Mag.Char.9.H.3.10.

Fuell.

All Talwood, Billet, Fagot, and Coles to be made and put to sale within the cities of London or Westminst. or in the suburbs of the same, shall keepe the Assises following, viz. euery sacke of coles shall containe foure bushels of good and cleane Coles. And euery Talshide shal containe in length foure fot beside the carfe. And euery Talshid named of one, to containe in greatnes within a fot of the middest ryf. inches about. And euery Talshid named of two, to containe in greatnesse within a fot of the middest twentie three inches about. And euery Talshide named of three to containe in greatnesse within a fot of the middest twentie eight inches about. And euery Talshide named of foure, to containe in greatnesse within a fote of the middest thirtie three inches about. And euery Talshide named of fiue, to containe in greatnesse within a fot of the middest thirtie eight inches about. And euery Billet to containe in length three fot and foure inches. And euery Billet named a single to containe seauen inches di. about. And euery Billet named to bee a cast, to containe tenne inches about. And euery Billet named of two cast, to containe foureteene inches about. And euerie Fagot bend to containe in length three fot, and the band of euery such Fagot, to be of twentie foure inches about, besides the knot. And it shall be lawfull for euery owner, without danger of any forfeiture, to make Billets of two casts. And all Billets of two casts to be made and put to sale, shall be of the Assise herein contained or more, and shall be marked onely within fiue inches of the middest thereof. And euery Billet of one cast to be made and put to sale, shalbe onely marked within foure inches of the end thereof. 7.Ed.6.7. And the Assise for the said Talwood, Billet, and Fagots, shall continue in force not onely for London and Westminster, but also in all other cities, boroughs, & towns corporat of this Realme, where such Talwood, Billet, and Fagots are accustomed to be sold. 43.El.14. The assise of Fuell.

2 If any person or persons shall bring any Talwood, Billet, or Faggots, to any Citie, Borough, or Towne corporat of this Realme, there to be sold, or being brought, shall put the same to sale, neither being of the Assise mentioned in the said Stat. of 7.E.6. or agreeing with the measures hereafter in this Act limitted: Then vpon information thereof giuen to the Maior, Bailife, or other head Officer of the said Citie, Borough, or Towne corporat, they shall haue authoritie to call before them six good and lawfull men of the said Citie, Borough, or Towne corporat, and shall sweare them vpon their corporall othes, truely to enquire and present, whether all or any part of the said Talwood, Billet, or Faggot, be of good and sufficient Assise, according to the said Stat. and the limitation of Assise herein contained, or not. And if they shall present vpon their othes, that any the said Talwood, Billets, or Faggots, be not of such good and sufficient Assise, as aboue said: Then the sayd Maior, Baylifes, and other head Officers, of the said Cities, Borough, and Townes Corporat, by force of this Act, vpon their presentment, shall and may take such of the same Talwood, Billet, and Faggots, as be false sized, as forfeited, and shall deliuer the same vnto some Ouerseers for the poore, in the said Cities, Boroughes, and Townes Corporat, to be by them giuen and distributed to the The penaltie for selling of fuell not of lawfull assise.

the poꝛe there, accoꝛding to their diſcretions, from time to time, ſo often as ſuch offences ſhall be pꝛeſented in manner and foꝛme aboueſaid. 43. Eliz. 14.

The compaſſe of Tall hides.

3 Euery Tall hide marked of one, beeing round bodied, ſhall containe xvj. inches of Aſſiſe in compaſſe, beeing of halfe round xix. inches of Aſſiſe about, beeing quarter cleft, xviij. inches and a halfe of aſſiſe about: and euery Tall hide marked two, being round bodied, ſhall containe in compaſſe xxij. inches of aſſiſe about, beeing halfe round xvj. inches of aſſiſe about, beeing of quarter cleft xxvj. inches of aſſiſe about: And euery Tall hide marked thꝛee, ſhall containe in compaſſe about (beeing round) twenty eight inches of aſſiſe, being halfe round to containe in compaſſe thirtie thꝛee inches of aſſiſe, beeing of quarter cleft xxxj. inches of about. And euery Tall hide marked foure, to containe in compaſſe (beeing round) xxxij. inches of aſſiſe, beeing halfe round xxxix. inches of aſſiſe about, being of quarter cleft xxxviij. inches of Aſſiſe about: And euery Tall hide marked fiue, ſhall containe in compaſſe beeing round xxxviij. inches of aſſiſe about, beeing halfe round xlij. inches of aſſiſe about, and beeing quarter cleft xlij. inches of aſſiſe about, all which to be meaſured about within fiue inches of the middeſt thereof, and to containe the length limited by the ſaid Statute. And in all other foꝛmes oꝛ manner of cleauing of Wood to be hereafter marked, and ſold foꝛ Tall wood, which will not admit the foꝛmer foꝛmes, oꝛ manner of cleauing, noꝛ any of theſe, to obſerue the Letter of the ſaid Statute of 7. Ed. 6. And in euery one of thoſe foꝛmes, the ſurpluſage of compaſſe that ſhall happen betweene any two next meaſures, being aboue the one, and vnder the other in euery kind, ſhall be allowed and taken to be foꝛ, and to the benefit of the buyer, and not otherwiſe to be computable. 43. Eliz. 14.

The compaſſe of Billets.

4 Euery Billet, named a Single, ſhall containe in compaſſe, beeing round bodied, vj. inches and a halfe of aſſiſe: and no Singles ſhall be made oꝛ marked out of cleft wood: and euery Billet marked one, commonly called a Caſt, to containe in compaſſe about xj. inches of aſſiſe, beeing round, and beeing halfe round to containe in compaſſe thirteene inches of aſſiſe about, and beeing quarter cleft to containe in compaſſe about twelue inches and a halfe: and euery Billet marked two, commonly called vj. Caſt, to containe in compaſſe about, being round fiftéene inches of aſſiſe, and beeing halfe round, to containe in compaſſe about xix. inches of aſſiſe, and beeing of quarter cleft, to containe in compaſſe about xviij. inches and a halfe of aſſiſe. And in all other foꝛmes, oꝛ maner of cleauing of Billet, to be hereafter marked and ſold foꝛ Billets, which will not admit the foꝛmer foꝛmes, oꝛ maner of cleauing, noꝛ any of them, and touching the length of all the ſaid Billet to obſerue the letter of the ſaid Statute of Anno 7. Ed. 6. 7. 43. El. 14.

The compaſſe of Fagots.

5 All fagots hereafter to be made and put to ſale, ſhall containe in compaſſe, beſide the knot of the band, foure and twentie inches of aſſiſe, and euery fagot ſticks oꝛ bend within the ſaid band to containe in length full thꝛée foot of aſſiſe oꝛ moꝛe, excepting onely one ſticke oꝛ bend, to be of one foot long, to ſtoppe oꝛ harden the binding thereof. 43. El. 14.

None ſhal buy Fuel, but ſuch as will burne oꝛ retaile the ſame.

6 No perſon oꝛ perſons ſhall buy any Fuell, Coales, oꝛ Wood, but onely ſuch as will burne oꝛ conſume the ſame, oꝛ ſuch perſons as ſhall ſell the ſame againe by retaile, to ſuch as ſhall burne oꝛ conſume the ſame foꝛ their owne occupying, without fraud oꝛ couin, oꝛ Wharfingers, oꝛ Bargemen, vpon paine to foꝛfeit to the K. and J. treble the value of all ſuch Wood, Coales, and Fuell, as ſhall be otherwiſe bought foꝛ any lucre oꝛ gaine, to be recouered by A. B. P. J. wherein no W. E. P. &c. And no perſon oꝛ perſons ſhall alter any marke oꝛ aſſiſe of any of the ſaid Fuell, marked oꝛ vſed accoꝛding to this ſtatute vpon paine of like foꝛfeiture, as is aboueſaid. 7. Ed. 6. 7.

Altering the marke oꝛ aſſiſe of Fuel.

1 What woods ſhall not be conuerted to Fuell for the making of Iron. See Iron.

Fuſtian.

Fuſtians.

WHoſoeuer doth vſe Irons on Fuſtians vnſhorne, wherewith to breake off the nappe and cotton of the ſame, or any inſtruments, or other vntrue ſubtill meane or ſleight vpon any fuſtian within this Realme, but onely the broad ſheares, ſhall forfeit for euery default xx.s. to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. The Mayor and Wardens of Shearmen in Lõdon, may enter and ſearch the workemanſhip of all perſons occupying the broad ſheare, as well Fuſtians, as Cloth. And the execution of this Act to be as well of denizens, as of forraines and ſtrangers. 11. H. 7. 27. Vntrue ſleights vſed vpon fuſtians.

2 It ſhall and may be lawfull to and for the Lord Mayor of the Citie of London, or his ſufficient Deputie, and to and for the Maſter and Wardens of the Myſterie of Clothworkers of London, or ſuch diſcreet perſons, as the ſaid Maſter and Wardens of the ſaid Myſterie of Clothworkers for the being, ſhall from time to time appoint, to enter and make ſearch, as the ſaid Mayor of London and Wardens of Shearmen might haue done together by the ſaid Act, in Anno 11. H. 7. vpon paine, that the perſon or perſons which ſhall make reſiſtance herein, ſhall forfeit for euery ſuch reſiſtance xx.s. to the K. and I. to be recouered by A. B. P. I. in any of the K. courts of Record, where the ſame may be determined after the courſe of the common Law, wherein no W. E. P. &c. 39. Eliz. 13. Searching fuſtian makers.

1 For Fuſtians of Naples. S. 1. and 2. P. and M. 14.

Gold, Siluer, and Goldſmiths.

IF any Finour of Gold and Siluer, or parter of the ſame by fire, or water, doth alay any fine Siluer or Gold, or doth ſell the ſame in any other wiſe, or to any other perſon, but onely to Officers of Mints, Changes, and Goldſmiths within this Realme, for augmentation and amending of coyne and plate (the ſaid Officers and Goldſmiths anſwering for the ſame as it is worth:) Or if any finour or parter doth ſell to any perſon whatſoeuer, any manner of Siluer in maſſe moulted and alayed: Or if any finour of Siluer doth not put his ſeuerall marke vpon his fine Siluer, he ſo offending, ſhall forfeit the ſame Gold or Siluer, or the value thereof to the King, and him that proueth the ſame. All fine ſiluer which is parted and fined, muſt be made ſo fine, that it may beare xy.ð. weight of alay, and yet it will bee as good as ſtarling. 4. H. 7. 2. Alaying of Gold & ſiluer and ſelling the ſame. The fineneſſe of Siluer.

2 If any Goldſmith doth melt or alay any fine ſiluer, to be for any workes, or other intent, but only for making of Amels for diuers workes of Goldſmithrie, and for amending of plate, to make it as good as ſtarling, or better, hee ſhall forfeit the ſame ſiluer, or the value thereof to the King and him that proueth the ſame, & will ſue for it in the Exchequer. 4. H. 7. 2. Melting or alaying of Siluer.

3 If any Goldſmith, Jeweller, or other, that worketh harneis of ſiluer within the citie of London, doth ſet any of them to ſale within the ſame Citie, before it bee touched with the Touch, and alſo ſigned with the workemans marke, knowne to the wardens of the ſame Myſterie, or doth ſell any workemanſhip of ſiluer, without it be as fine as the ſtarling (except it néd Solder, which ſhall be allowed according as the ſame is neceſſarie to be wrought) he ſhall forf. the double value thereof to the K. and I. 2. H. 6. 14. Harneis of ſiluer ſhalbe touched & marked.

4 If the keeper of the touch doth touch any harneis of ſiluer with the Leopards head, which is not as fine in alay as the ſtarling, he ſhall forfeit the double value of the ſiluer ſo touched to the K. and I. 2. H. 6. 14. Harneis as fine as the ſtarling.

5 If any Goldſmith, worker of Siluer, or keeper of Touches in the Cities of Yorke,

Yorke, New-caſtle vpon Tine, Lincolne, Norwich, Briſtowe, Saliſburie, or Couentrie, (which haue diuers Touches) doe ſet to ſale, or touch any ſiluer in other manner then is beſore ordained for London, the offendor ſhall forfeit double the value, &c. 2. H. 6. 14.

Working of ſiluer not ſo fine as the ſtarling.

6 If any Goldſmith, or other worker of ſiluer within the Realme of England, where no Touch is ordained, doth worke any ſiluer, except it be as fine in alay as the ſtarling, he ſhall forfeit the double value thereof to the K. and I. And euery ſuch Goldſmith, or worker of ſiluer, muſt ſet his ſigne or marke vpon the ſame, before he put it to ſale. 2. H. 6. 14.

Gilding.

7 Whoſoeuer gildeth any ſheathes or mettall but ſiluer, and the ornaments of the Church, or layeth any ſiluer vpon any mettall, but onely vpon Knights ſpurs, and the apparell which belongeth to a Baron, or one aboue the eſtate of a Baron, ſhall forfeit to the King tenne times ſo much as the thing gilt is of value, and ſhall alſo be one yeare impriſoned. 8. Henr. 5. 3. But Artificers may worke ornaments of the Church of Copper and Latten, and gild or ſiluer the ſame, ſo that in the ſute or other part, the Copper and Latten be plaine, that a man may ſee whereof it is made. 5. H. 4. 13. And whoſoeuer doth gild any ſiluer ware other then of the alay of the Engliſh ſtarling, ſhall forfeit to the K. the value thereof. 2. H. 5. 4. S. Iuſtices of Peace 46.

None ſhall make both white veſſel and gild.

8 No Goldſmith making white veſſel, ſhall meddle with gilding, nor any vſing gilding, ſhall make any white veſſell, vpon paine to forfeit the value of the veſſel ſo made, or gilt, to the King. 37. Ed. 3. 7.

Veſſel of ſiluer and gold ſhall be aſſayed and touched.

9 If any Goldſmith doe ſuffer any veſſel of Gold or Siluer to depart from him before it be aſſaied by the Wardens of the ſame Myſterie, and touched with the Leopards head, or doth ſet any ſtone in gold, except it be naturall, he ſhall be impriſoned, and make fine at the Kings pleaſure. 28. Ed. 1, 20.

The fineneſſe of Goldſmiths wares of gold

10 No goldſmith ſhall worke, ſell, exchange, or cauſe to be wrought, ſold, or exchanged any Plate or other goldſmiths wares of gold, leſſe in fineneſſe than that of twentie two Carrots, and ſhall vſe no Sother, Amell, nor other ſtuffings whatſoeuer in any of their workes more than is neceſſarie for the finiſhing of the ſame, nor ſhall take aboue the rate of xv. s. for the ounce of Gold (beſides the faſhion) more then the buier ſhall or may be allowed for the ſame at the Quenes Exchange or Mint, vpon paine to forfeit the value of the thing ſo ſold or exchanged, to the K. and party grieued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 18. Eliz, 14.

xij. s. an ounce for gold beſide the faſhion.

The fineneſſe of goldſmiths wares in ſiluer.

11 No Goldſmith ſhall make, ſell, or exchange in any place within this Realme any Plate or Goldſmithes wares of Siluer, leſſe in fineneſſe then that of xj. ounces two penny weight, nor take aboue the rate of xv. s. for euery pound weight of Plate or wares of Siluer (beſide the faſhion) more then the Buyer, ſhall or may bee allowed for the ſame at the Quenes Exchange or Mint. Nor ſhall put to ſale, exchange, or ſell any Plate or Goldſmiths worke of Siluer, before hee hath ſet his owne marke to ſo much thereof, as conueniently may beare the ſame, vpon paine to forfeit the value of the thing ſo ſold, or exchanged, to the Qu. and partie grieued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 18. Eliz. 14.

The goldſmith ſhall ſet his marke to his worke.

Wardens allowing faultie ware.

12 If any Goldſmith ſhall make any Goldſmiths Worke or Plate, and the ſame ſhall be touched, marked, and allowed for good by the Wardens or Maſters of that Myſterie, and in the ſame there ſhall bee found any falſehood or deceit: Then the Wardens and Corporation of that Myſterie for the time being, ſhall forfeit and pay the value of the thing ſo exchanged, or ſolde, to the Quenes and partie grieued, to be recouered by A. I. &c. wherein no Wager &c. E. P. &c. 18. Eliz. 14.

1 There ſhall be no more giuen for coyned gold or ſiluer, than it is currant by Proclamation. S. Money 1.

2 Gold may not be deliuered to any Alien. S. Money 3.

3 No man ſhall tranſport Gold or Siluer. S. Money 3.

Gunnes, and Croſſebowes.

IF any perſon doe ſhoote in any Croſſebowe, Handgun, Hagbut, or Demyhake, or keepe any of them in his houſe, or elſewhere, except he or ſome other perſon to his vſe, hath in his owne, or in his wiues right, Lands, Tenements, Fées, Annuities, or Offices, to the yearely value of 100. l. he ſhall forfeit for euery offence ten pounds to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 33. H. 8. 6. *Keeping or ſhooting in Gunnes.*

2 Euery perſon which ſhall ſhoote in, carrie, keepe, vſe, or haue in his houſe, or elſewhere, any Handgun, other than ſuch as ſhall be in the Stocke and Gunne, of the length of one whole yard, or any Hagbut, or Demyhake, other than ſuch as ſhall bée in the Stocke and Gunne, of the length of thrée quarters of a yard, ſhall forfeit for euery offence 10. pounds to the King and I. And euery perſon hauing Lands, Fées, Annuities, or Offices, to the yearely value of 100. pounds, may ſeiſe and take euery ſuch Handgun, Hagbut, and Demyhake, béeing of ſhorter length than is before limited from the offendor, And alſo euery Croſſebowe from any perſon not hauing lands, offices, &c. to the value of 100. pounds by yeare, and retaine the ſame to his owne vſe. Which Handgun, Hagbut, and Demihake, hee which ſeiſeth them, muſt breake within 14. daies after ſeiſure, or elſe he ſhall forfeit for euery of them 41. s. to the K. and I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 33. H. 8. 6. *The length of a handgunne, hagbut, demihake.* *who may take the Gunne or Croſſbow frō the offendor.*

3 Whoſoeuer ſhall carrie, or haue in his iourney on foot or horſebacke any Croſſe-bowe bent, or Gunne charged, or furniſhed with Powder, fire, or touch for the ſame, except it be in time and ſeruice of warre, other than ſuch as haue lands, annuities, fées, or offices, to the yearely value of 100. l. he ſhall forf. for euery offence 10. l. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 33. H. 8. 6. *Carrying a Croſſebow bent, or Gun charged.*

4 He that doth ſhoote with Handgun, Demyhake, or Hagbut, at any thing at large, within a Citie, Borough, or Market Towne, or within a quarter of a mile of either of them, except it be at a butte or banke of earth, in a place conuenient, or for the defence of his perſon, or houſe, ſhall forfeit for euery ſhoote ten l. to the K. and I. &c. 33. H. 8. 6. And if any perſon vnder the degrée of a Lord of the Parliamẽt, doth ſhoot in a Handgun in a Citie or Towne, at any marke vpon a Church, houſe, or Doue-coat, he ſhal forfeit for euery offence x. l. and be impriſoned thrée moneths. 2. Ed. 6. 14. *Shooting in a citie or market towne at a thing at large*

5 Whoſoeuer doth command any of his Seruants to ſhoote in a Croſſe-bowe, Handgun, Hagbut, or Demyhake, of the maſters, or other perſons, at any deare, foule, or other thing, except it be at a butte or banke of earth, or in time of warre, ſhall forfeit for euery offence ten l. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. But if the K. doe not commence his ſuite within one yeare, and euery other perſon within halfe a yeare next after the offences committed, for any penaltie or forfeiture to any of them giuen by this Statute, they ſhall be excluded of their actions and ſuites, and the offendor clearely diſcharged. 33. Hen. 8. 6. *The maſter commanding his ſeruant to ſhoote.*

6 It is lawfull for euery perſon to arreſt or attach any perſon, which he ſeeth or findeth offending, contrarie to the effect of this Act, and to bring him to the next Iuſtice of Peace in the ſame Countie, which Iuſtice vpon due examination and proofe, may commit the offendor to the next Gaole, there to remaine vntill hee

Euery man may arreſt an offendor.

hath paied ſuch penaltie, as he hath forfeited by this Statute, of which penaltie the King ſhall haue the one halfe, and the ſaid bringer the other. 33. H. 8. 6. S. Iuſtices of Peace 45. Leetes 9.

Who may keepe or ſhoote in Gunnes.

7 But it is lawfull for all Gentlemen, Yeomen, and Seruingmen of euery Lord, and of all Knights, Eſquires, and Gentlemen, and to all the inhabitants of Cities, Boroughs, and Market townes of this Realme of England, to ſhot with any Handgun, Demyhake, or Hagbut, at any Butte or banke of earth, onely in place conuenient for the ſame, ſo that euery of them be of the ſeuerall lengths aforeſaid, and not vnder. And it is lawfull to euery Lord, Knight, Eſquire, and Gentleman, and the inhabitants of euery citie, borough, and market towne, to haue and keepe in euery of their houſes any handgun, of the length of one whole yard, and not vnder, to the intent to ſhot with the ſame at a banke of earth, or butt only. And euery perſon which dwelleth in any houſe, being diſtant two furlongs from any citie, borough, or towne, may keepe in his houſe for the onely defence of the ſame, handguns, hagbuts, and demihakes of the ſeuerall lengthes aforeſaid, and not vnder, and may vſe to ſhoote in the ſame, at any butte or banke of earth, neere to his houſe, and not otherwiſe. And euery perſon appointed by the King to keepe or receiue any Croſſebowes, or Handguns forfeited, or taken within the precincts of his Forreſts, Parks, or Chaſes, may lawfully retaine the ſame, vntil his further pleaſure be to him declared. And the makers of Croſſebowes and handguns, may lawfully keepe Croſſebowes, Handguns, Hagbuts, and Demihakes in their houſes, and ſhot in the ſame onely for aſſaying of them at a Butte or Banke of earth in place conuenient, and not otherwiſe, ſo that the ſame be of the ſeuerall lengthes aboue mentioned. 33. H. 8. 6.

To theſe perſons this ſtatute extendeth not.

8 This Act ſhall not extend or be preiudiciall to any Marchants, hauing any Croſſebowes, handguns, hagbuts, or demihakes to ſell, and to none other vſe, ſo that the ſame be of the ſeuerall lengths aboue limited, and not vnder. Neither ſhall it extend to any of the Kings ſubiects, whoſe houſes be not aboue fiue miles diſtant from the Sea coaſts, or which bee inhabitants of the Iſles of Gerſey, Gerneſey, Angleſey, Wight, and Man. But it is lawfull for euery of the ſaid inhabitants to haue and vſe their handguns, hagbuts, and demihakes, of the lengths aboueſaid, within the ſaid limits and Iſles, ſo that it be at no Deare, Hare, Fesant, Partridge, wild Swan, or wild Elke. Neither ſhall this act extend to any owner of any Ship, for hauing or keeping of any handgun, hagbut, or demihake, of the ſeuerall lengthes aboue expreſſed, or vnder, onely to be had and occupied within any their Ship, or other Veſſel, or for the carriage and recarriage of them on land, or keeping them, for the onely exerciſe of them within their Ship or Veſſell: Neither ſhall this Act be preiudiciall to any ſeruant or perſon that ſhall bend, beare, carrie, charge, vſe, or aſſay any croſſebowe, handgun, demihake, or hagbut, of the lengthes aforeſaid, by the commandement of his Lord or Maſter, ſo that he doe not ſhoote at any foule, deare, or other game: Nor to any ſuch ſeruant or perſon, that ſhall beare, or conuey any croſſebow, handgun, hagbut, or demihake, of the lengths aforeſaid, to any place by the commandement of his Lord or Maſter that may ſhoote, to be repaired, amended, deliuered, or aſſaied, ſo that the ſame ſeruant or perſon haue readie to ſhew to euery perſon requiring the ſight thereof, one licence in writing, ſealed, or ſubſcribed by his ſaid Lord or Maſter to carrie the ſame croſſebowe &c. to be amended, aſſayed, or deliuered. 33. H. 8. 6.

Placards.

9 If any perſon obtaine of the King, his heires, or ſucceſſors, any Placard, Licence, or Bill aſſigned to ſhoot in a Croſſebowe, handgun, hagbut, or Demihake, contrarie to the purport of this Act, then there ſhall be contained therein at what beaſts, or other fowles he ſhall ſhoote, or elſe the ſame Placard, &c. ſhall be void. And euery ſuch perſon before he doth ſhoot, ſhall be bound in the Chauncery in Recogniſance

ſance in rr.£.to the K. vſe, that he ſhal not ſhot at any other beaſts or Foules than is ſpecified in his Placard, Licence, or Bill aſſigned, And all Placards, Licences, and Bils made to any perſon not bound, ſhall be void. 33.H.8.6.

10 Whoſoeuer ſhall ſhot in any place any Haileſhot, or more pellets than one at one time, ſhall forfeit tenne pounds, and bee impriſoned three moneths. 2. Ed.6.14. Haileſhot.

11 All perſons authorized to ſhot, or otherwiſe, are bound (vnder the paine of rr.s.a ſhot in any handgun, or halfe-hake) to preſent their names to the nert Iuſt. of Peace of the Shire, if he dwell in the Countrey, or to the Mayor or head Officer if he dwell in a towne Corporate, to the intent the Clerke of the Peace may keepe a booke of the names of all ſuch, that the K. may know how many able perſons hee hath in each Countie for that ſeruice. And the Iuſtice, Mayor, and head Officer are bound vnder the like paine to receiue their names. 2. Ed.6.14. The names preſented of thoſe which ſhot in Guns.

1 Where, in what caſe, and in what manner it ſhall be lawful for a Gunner to take an Apprentice. S. Labourers 30.

2 The puniſhment of a Gunner which taking preſt wages to ſerue &c. departeth from his captaine. S. Felonie 23. Mariners 1.

3 Licence to ſhoot in Gunnes for Hawkes meat. S. Feſants 10.

Hats and Caps.

VVHoſoeuer doth by himſelfe, or any other, make or worke any felt or hat, of, or with any forreine woll, or ſtuffe, (vnleſſe ſuch perſon hath firſt bin apprentice or couenant ſeruant to the Myſterie of Felt, or Hat-making, by the ſpace of ſeauen yeares at the leaſt) ſhall forfeit all ſuch Hats or Felts which he ſhal make or cauſe to be made while he worketh, and fiue pounds for euery moneth that hee ſhall ſo continue. But euery perſon that was a maker or worker of Hats at ỳ time of the making of the Statute, may ſo continue during his life, though he were not bound prentice for ſeauen yeares. 8.El. 11. And whoſoeuer doth by himſelfe, or by his ſeruant or apprentice worke any Felts or thrummed Hats, or occupie the myſterie of making of Felts or thrummed Hats within the citie of Norwich, or counties of Norfolke (vnleſſe he be admitted ſo to do by the Mayor, Recorder, Steward, and two Iuſt. of Peace of the ſaid citie, or by foure of them, or that he hath bin apprentice to the ſame occupation by the ſpace of ſeauen years, or doth make any hats or felts, or occupie the myſterie thereof in any place out of the citie of Norwich within the countie of Norfolke, but onely in a Corporate or Market Towne) ſhall forfeit the ſame Felts or Hats, and alſo r.s. for euery halfe dozen of them made contrarie to this Statute. But if the Mayor, Recorder, Steward, or Iuſt. of Peace of the City of Norwich, take any reward for admitting any perſon to occupie the ſaid Art, he ſhall forfeit for euery offence v.£. to the K. and I. to be recouered by A I.&c. wherein no W.&c. P. or forreine plea &c.5. Ed.6.24. S. Couerlets 9. &c. None ſhall worke Hats, but which haue beene prentice. Making hats in Norwich and Norfolke

2 Whoſoeuer ſhall make, ſell, or cauſe to be made or ſold any Cappe, or other thing of Felt but onely Hats, or ſhall make, ſell, or &c. any Cappe of woollen Cloth not knit, or ſhall die, or &c. black any Cappe with Barke or Swarke, but only with Copperas and Gall, or with Woad and Madder, or ſhall thicke or full in a Mill any Cap, vntill the ſame be firſt well ſcowred and cloſed vpon the banke, and halfe thicked at the leaſt in the fot-ſtocke, ſhall forfeit for euery offence r.s. But this Act ſhall not extend to any making of Hats with Worſted yarne in the Citie of Norwich. 8. El. 11. Cappes of felt or of woollen cloth not knit. Dying, thicking, or fulling of Caps.

3 If any maker or worker of Hats, doth take aboue two apprentices at one time, or doth take thoſe for any leſſe time than ſeauen yeares at the leaſt, hee ſhall for euery apprentice ſo taken, be one moneth impriſoned in the cõmon gaole without How many apprentices Hatters may take.

out baile or mainepriſe, and be from thenceforth diſabled to haue any more apprentices than one at a time, and alſo ſuch taking of apprentice is void. But this Acte ſhall not charge any Felt, or Hat-maker, with any paine or forfeiture, for ſetting a worke his owne children for making of Felts or Hats in his owne houſe &c. 8. El. 11. S. Corporations 18.

The forfeitures.

4 The moitie or one halfe part of all and euery the forfeitures and penalties cõtained in the ſame former act of 8. El. 11. and alſo the moitie or one halfe part of all and euery the forfeitures and penalties hereafter limited and appointed in and by this Act, ſhall be to the K. his heires, and ſucceſſors, and the other moitie to ſuch perſon or perſons as will ſue for the ſame by A. B. P. or I. in any Court of Record, wherein no E. W. P. &c. ſhalbe allowed &c. 1. Iac. 17.

Who may be Felt-makers, and who their ſeruants.

5 No perſon or perſons ſhall make or cauſe to be made any Felt or Hat, of, or with any Woll or Ruffe whatſoeuer, vnleſſe he or they ſhal haue firſt ſerued as apprentices in the foreſaid trade or art of Felt-making, during the ſpace of 7. yeares at the leaſt: Neither ſhall they retaine and ſet to worke in the ſaid art any other perſon or perſons than Journeymen, that haue lawfully ſerued in that art, and apprẽtices lawfully bound in the ſaid Trade, or Art: Nor aboue two apprentices at one time, Nor thoſe for any leſſe time than 7. yeares, vpon paine to forfeit v. l. for euery moneth that he ſhall continue offending, contrarie to the true meaning of this Act, to be recouered to the vſes and in manner aforeſaid. 1. Iac. 17.

No ſtranger ſhall be ſet on worke in making of Hats.

6 No perſon or perſons ſhall retaine or ſet on worke in the ſaid Art of Hat, or Felt-making, any perſon or perſons borne in his Maieſties realmes of England, Scotland, & Ireland, vpon paine to forfeit v. l. for euery Moneth, wherein ſuch perſon or perſons ſhall offend, contrarie to the meaning of this Act, to be recouered to the vſes, & in manner aforeſaid. 1. Iacob. 17.

Hat-makers ſonnes.

7 Nothing in this Act, nor in the ſaid former Act contained, ſhall extend to charge any perſon or perſons lawfully exerciſing the ſaid Art with any paine or forfeiture, for ſetting or vſing his or their owne naturall ſonne or ſonnes, to ỹ making or working of Hats or Felts, in his or their owne houſe or houſes: ſo as euery ſuch ſonne or ſonnes be bound by Indenture of Apprenticehood for the terme of 7. yeares at the leaſt, which terme ſhall not be to expire, before he ſhall bee of the full age of twenty two years: Any thing aboueſaid to the contrarie notwithſtanding. 1. Iac. 17.

Hat-makers at the time of the Statute.

8 Euery Felt-maker that now is, and by the ſpace of one yeare laſt paſt before the beginning of this Parliament was a maker or worker of Felts, and being an houſholder, and all ſuch as now are Apprentices, Couenant ſeruant, or Journeyman in the ſame Art or Myſterie of Felt-making (ſo as the ſame Apprentice ſerue the reſidue of 7. yeares at the leaſt) ſhall or may during ſuch perſons naturall life, continue making of Hats and Felts, albeit the ſame perſon were not bound apprẽtice to the ſame Art for the ſpace of ſeauen years: Any thing in this act, or elſewhere &c. notwithſtanding. 1. Iac. 27.

1 Hat-makers dwelling in Norwich, may buy Middle Vſſe yarne to make hats with. S. Yarne.

Hawkes.

Taking Hawke or Hawkes egs out of anothers grounds

WHoſoeuer doth wrongfully, by night or day, take away any Hawke or Hawkes, or the egs of any of them, out of the woods or ground of any perſon (not hauing lawfull authoritie or Licence ſo to doe) and thereof is lawfully conuicted at the ſuit of the Quæne, or partie grieued, ſhall pay to the partie grieued his treble damages, ſuffer impriſonment by the ſpace of three moneths, and then find ſufficient ſuretie for his good abearing, for the ſpace of ſeauen yeares after,

or

or else remaine in prison, vntill he hath found sureties. 5. Eliz. 21. See Iustices of Peace 34.

2 Whosoeuer findeth a Faulcon, Tercelet, Laner, Laneret, or other Hawke which the owner thereof hath lost, shall immediately bring the same to the Shirife of the Countie, which shall make Proclamation in all the good Townes of the Countie, that hee hath such a Hawke in his custodie: and if the owner which lost the Hawke, or any of his seruants come to challenge it, and proueth that it is his masters, he shall paie for the costs and haue it. And if none doe come within foure moneths to challenge it, then the Shirife shall haue the Hawke, agreeing with him that tooke it vp, if he be a simple man, and if he be a gentleman, and of estate to haue a Hawke, then the Shirife shall deliuer him the Hawke, taking reasonable allowance for the keeping thereof. And whosoeuer taketh a Hawke, and the same concealeth from the owner, or from his Faulkoners, or taketh away a Hawke from ỹ owner, or stealeth a hawke, and carrieth it away, not obseruing the foresaid Ordinances, and is thereof attainted, shall be vsed as a Felon which hath stollen a horse, or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19. *How euery man shall vse the Hawke which he taketh vp.*

3 Whosoeuer doth take or cause to be taken vpon his owne ground, or any other mans, the egges of any Faulcon, Goshawke, Laner, or Swanne out of the neast, shall be imprisoned a yeare and a day, and make fine at the Kings pleasure. 11. H. 7. 17. *Taking the egs of Hauks or Swannes.*

4 Whosoeuer taketh any Eirer, Faulcon, Goshawke, Tassell, Laner, or Laneret, in his Warren, Woods, or other place, or purposely driueth them out of their couerts accustomed to breed in, or causeth them to goe to other couerts to breed in, or killeth them for any hurt by them done, shall forfeit x. l. to the K. and Iu. 11. H. 7. 17. S. Iustices of Peace 39. *The taking, fearing, & killing of Hauks*

5 Whosoeuer doth beare any hawke of the breed of England, called a Nyesse, Goshawke, Tassell, Laner, Laneret, or Faulcon, shall forfeit the same to the King. 11. H. 7. 17. *The bearing of English Hawkes.*

6 Whosoeuer bringeth any Nyesse, Hawke, or Hawkes, from any parts beyond the Sea, must bring a Certificat vnder the Cnstomers Seale of the Port where he first landed with the same Hawke &c. And he that cõmeth forth of Scotland, then vnder the seale of the Warden or Lieutenant of the March which hee came through, testifying, that the same Hawkes be of the parts beyond the Sea, or Scotland, or else he shall forfeit to the King the same Hawkes. 11. H. 7. 17. *Bringers of Hawkes from forrein regiõs shall bring a certificat.*

1 Each man may haue Eires of Hawkes within his owne Woods, which bee within any Forrest. S. Woods 24.

2 No person shall hawke where any eared or codded corne shall be standing. S. Fesants 4.

Hauens and Riuers.

IF any person doth cast or vnload out of any Shippe, Crayer, or other Vessell, being within any Hauen, Rode, Channell, or Riuer, flowing or running to any Port Towne, or to any Citie, Borough, or Towne, within any of the Kings Dominions, any Balast, Rubbish, Grauell, or other wrecke, or filth, but onely vpon the land, aboue the ful Sea marke, he shall forfeit for euery offence fiue pounds to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 34. H. 8. 9. *No rubbish shalbe cast into any hauen, &c.*

2 Whosoeuer fasteneth to any Posts, Boates, Ankers, or like things, any maner of nets ouerthwart any Riuer, there to continue, shal forf. for euery offence v. l. to the K. 2. H. 6. 15. *Fastening nets ouer riuers.*

3 It shall not be lawfull to any person or persons whatsoeuer, to set any Net

Of whatmash euery net to be set in Oxford Hauen shalbe.

or Nets with any Boat or Boats called a Stall-boate, or other Boate or Vessell whatsoeuer, within the entrie or mouth of the Hauen of Oxford, in the Countie of Suffolke, or in the Gull, being a braunch of the same hauen, except the mash or shale of euery such net, throughout the whole net, doe containe two inches and a halfe at the least in widenesse, from knot to knot, vpon paine to forfeit for euery time, that any Net or Nets shall be set or placed in the said Hauen, or Gull, not being of the mash or shale aforesaid, fiue pounds, together with the net or nets to set, or the value thereof to the Qu. and Informer, to be recouered in any Court of Record at Westminster, and not elsewhere, by A.B.P. or I. wherein no W. &c. E.P. &c. 27. El. 21.

Preseruation of the Hauens in Deuon and Cornewall.

4 No person or persons shall labour, or worke, or cause to be laboured or wrought in any manner of Tinne workes, called Streame workes within the Counties of Deuon and Cornewall, nigh to any of the fresh waters, Riuers, or lowe places, descending, or hauing course vnto the Hauens or Ports of Plimmouth, Dartmouth, or Tingmouth, in the Countie of Deuonshire, Falmouth, and Fowese, in the Countie of Cornewall, or any of them, nor shall labour, digge, or wash any Tinne in any of the said Tinne workes, called Streame workes, vnlesse the said digger, owner, or washer shall make or cause to be made sufficient Hatches and Ties in the end of their puddles and cords, and therein put and lay, or cause to be put and laied all the stones, grauell, and robell digged about the insearching, finding, and washing of the said Tinne, there to be wholly and surely kept by the said Hatches and Ties, out and from the said fresh Riuers, or water courses, or any of them: so that the said Sande, Stones, Grauell, and Robell, ne any part thereof, be for lacke of such Hatches or Ties conueyed into the said Ports and Hauens, or any of them, vpon paine to forfeit for euery time that any Owner, Tinner, Digger, or Labourer, shal digge, or wash, or cause to be digged or washed any Tinne, contrarie to the forme aforesaid, rr. l. to the K. and I. to be recouered by W.B.P.I. or otherwise, wherein no W.E.P. &c. 27. H. 8. 23.

No penaltie for suing according to this Statute.

5 If any person or persons shall happen to be sued, accused, indited, imprisoned, amerced, condemned, or otherwise vexed or troubled in his person, lands, Tinne-workes, goods, or chattels, by any of the Ministers or Officers of the K. Courts of Stannerie, or by any other person or persons, for pursuing or attempting any suite or action, according to this Statute, against such person or persons as shall offend, contrarie to the forme aforesaid: then all such suits, accusements, inditements, imprisonments, actions, condemnations, fines, amerciaments, and euery other Act or Acts to be done in any of the said Courts of Stannerie, or elsewhere, by any person or persons against any person or persons, for suing or attempting any suits or actions, by vertue of this Statute shal be vtterly void. And the partie sued, indited, accused, imprisoned, or otherwise grieued or molested for pursuing against any person or persons offending this Statute, shall haue his action and remedie grounded vpon this Statute by W.P.B.I. or otherwise in any of the K. Courts, against such as shal procure or attempt to vexe, trouble, or otherwise molest any such person or persons for suing or pursuing of the forfeitures aforesaid, and shall recouer treble damages in that behalfe, wherein no W.E. or P. shal be allowed to the defendant. 27. H. 8. 23.

Imprisoning for suing according to this Statute.

6 If it shall happen any person or persons for pursuing any suit or action vpon this Statute, or by occasion of the same to be imprisoned by any person or persons, being officers or Ministers of the Court of the Stannerie, their deputies, or substitutes, then euery of the Iustices of Peace within any of the Counties aforesaid, wherein the said prisoner shall happen to be committed to prison, vpon credible information thereof (taking suretie by his discretion for apparance of such prisoner at the next generall Sessions of Peace) shall haue authoritie as well to direct his warrant

warrant to the gaoler, or keper of the prison, as to any other person or persons to whom the said prisoner shalbe committed, commaunding him or them vpon paine of forfeiture of xl.li. to deliuer or put at large the said prisoner or prisoners: which if he refuse so to do, then euerie such offendor shall forf. the said xl.li. the one halfe of the said forfeiture shall be to the King, the other halfe to him that is grieued by such imprisonment, to be recouered in manner and forme aforesaid, wherein no W.E. or P. shalbe allowed to the defendant. And if it shalbe proued vpon the apparance of such prisoner at the quarter Sessions, by examination of the Iust. of peace there being, that he was imprisoned contrarie to the forme of this Statute, then he shall be forthwith dismissed, and thereby discharged. And if he were lawfully imprisoned for any other cause, then to be remaunded to prison by the discretion of the Iustices. 27.H.8.23.

7 Prouided alwayes, that this Act be not preiudiciall to any of the officers of the Stannerie, ne to any of their lawfull Liberties, Priuiledges, Lawes, or Customs, sauing onely in the cases and prouisions contained and limited within this Act: which shall be alwayes put in execution, according to the tenor of this Act, any custome, priuiledge, ordinance &c. notwithstanding. 27.H.8 23. 23.H.8.8. The liberties of the Stannerie.

8 The L. Chancellor of England for the time being, at all times vpon request to him to be made by the Maior and Comminaltie of the Citie of Yorke & Towne of Hull, or by any other Citizen and Burgesse of the said Citie and Towne for the time being, or other person by them vnder the common seales of the said Citie and Towne authorized, shall haue authority by his discretion to make and direct Commissions vnto eight sad & discreet persons (whereof foure of them to be citizens and inhabitants of the said citie and towne) and the other foure to be Iust. of peace, two of West Riding, and the other of the East Riding of the Countie of Yorke, not of kin, nor retained with the said citie or towne, that the iij. by. vj. v. or iij. of them, wherof two of them shalbe of the said citie and towne, the other two Iust. of peace, the one of the East Riding, the other of the West Riding of the said Countie, by vertus of the said Commission shall and may assigne and appoint the owners of Fish-garthes, Stakes, Piles, & other Engines in the riuer & water of Ouse and Humber, to pull vp and redresse, or cause to be pulled vp and redressed within thirtie daies after admonition giuen to the said owners by the said Commissioners, or by such of them taking the charge of the execution of the said commission, such, and as much of the said Fish-garthes & other impediments to bee made in the said waters, to the let, disturbance, damage, or ieopardie of any ships, keiles, boats, or any other vessels, passing or repassing to or from the said citie of Yorke to the said town of Hull, as by them shalbe thought meet and conuenient. 23.H.8.18. Remouing of Fish-garthes in Ouse and Humber.

9 No person or persons within the said riuer and water of Ouse and Humber, shall set Fish-garthes, or any other Engines to take fish withall, within the waters aforesaid, but only with such Nets and other Engines, as shalbe of assise and measure, according to the standard, and antient & laudable customs vsed in the said riuer & water of Ouse and Humber, and also to vse the fishing within the said waters, all such times, as within the same hath of old time been accustomed, & at none other time. 23.H.8.18. Nets to take fish in Ouse & Humber.

10 Euerie of the said owners and occupiers of such fish-garthes, for euery moneth offending contrarie to this Act, shall forfeit xl.li. And euerie other person in fishing contrarie to this Act offending, shall forf. x.li. the one halfe of which penalties shalbe to the K. and the other halfe to the Maior and Comminaltie of the citie of Yorke, and their successors, to be recouered against euerie person and persons so offending, as well by B. I. or otherwise, at the K. suit, as by originall writ of debt, at the suit of the said Maior and Comminaltie, and their Successors, wherein no W. E. P. shalbe allowed. 23.H.8.18. The forfeitures.

1 A new Riuer brought out of the Countie of Hertford to London. 3.Iac.18.
2 The Riuer of Thames. 4.H.7.15. 27.H.8.18. 3.Iac.20.
3 The Riuer of Ley. 3.H.6.5. 9.H.6.9. 13.Eliz.18.
4 The Riuer of Canterburie, 6.H.8.17.
5 The Riuer of Exe by Exceter. 31.H.8.4.
6 The Riuer of Mew by Plimmouth. 27.Eliz.20.
7 The Riuer of Seuerne. 9.H.6.5. 23.H.8.12.
8 Douer Hauen. 23.Eliz.6 31.Eliz.13. 35.Eliz.7. 43.Eliz.9. 1.Iac.32.
9 South-hampton Hauen. 11.H.7.5. 14.H.8.13.
10 The Hauen of New-caſtle. 21.H.8.18.
11 Kingrode Hauen by Briſtoll. 34.H.8.9.
12 The Hauen of Rye and Winchelſey. 2.Ed.6.30.
13 Chicheſter Hamen. 27.Eliz.22.

Hempe, Flaxe.

watering of Hemp & Flax

WHoſoeuer doth water any Hempe or Flaxe in any riuer, running water, ſtreame, brooke, or other coumon pond where beaſts be vſed to bee watered, but onely on the ground, or pits for the ſame ordained, or elſe in his own ſeuerall ponds, ſhall forfeit for euerie offence xx.s. to the K. and the partie grieued. or I. &c. to be recouered in any Court of Record, Leet, or Lawday, by Action, Information &c. wherein no W. &c. E.P. &c. 33.H.8.17.

1 Where hempe growing within fiue miles of Burport ſhall bee ſold, and how much hempe ſhalbe accounted a ſtone. S. Cables 1.3.

Herons.

Taking of old Herons.

IF any perſon without his owne ground, doth kill, take, or cauſe to be taken any Herons by meanes of any craft, or engine (without it be with hawking, or long bow) he ſhall forfeit for euery Heron ſo taken or killed vj.s.viij.d. to the K. and I. to be recouered by A. of debt, wherein no W.E.P. &c. 19.H.7.11.

Taking yong Herons.

2 If any perſon, without his owne ground, doth take any yong Herons out of the neaſt, without licence of the owner of the ground where the ſaid neaſt is, hee ſhall forfeit for euerie Heron ſo taken out of the neaſt, x.s. to the King and Inf. to be recouered by Action of debt, wherein no W.E.P. &c. 19.H.7.11. S. Iuſtices of Peace 35.

Hexam, and Hexamſhire.

THe Territorie, Franchiſe, and Libertie of Heram and Heramſhire, with the liberties of the ſame, may be, is, and ſhall be taken to be within, and part, parcell, and member of the Countie of Northumberland. And as well the Pleas of the Crowne, as all ſuits betwirt partie and partie, may proceed and haue their due end and triall within the ſaid Countie of Northumberland, by, and before the Sherife and Coroners of the ſaid Shire, and alſo before the Iuſtices of peace, Iuſt. of Gaole deliuerie, Iuſtices of Aſſiſe, Niſi prius, Oyer and Determiner, and other Officers, and each and euerie of them, as the caſe ſhall require, and take effects, as any of the like haue bene, or ought to bee, which haue happened, or ſhall happen within the ſaid Countie of Northumberland. And the Sherife and other Officers of the Countie of Northumberland for the time being, haue full power and authoritie to execute his or their Office, and all proceſſes to him or them, directed within Heram and Heramſhire, and the liberties of the ſame, in as large & ample maner,

as

as he or they may, should, or ought to do, within any other part of the said Countie of Northumberland, any Graunt, Priuiledge, Custom, &c. notwithstanding. Saning to the Bailife of the Liberties, or other Officers of the said Towne of Peram and Peramshire, or the Liberties thereof, all Liberties and Priuiledges for executing of Proces, returne of Writs, and otherwise, as they or anie of them of right ought to haue, before the making of this Act. 14. Eliz. 13.

Highwayes.

THe Constables and Churchwardens of euerie parish within this Realm, shal yearely vpon the Tuesday or Wednesday in Easter weeke, call together a number of the Parochians, and then shall chuse two honest persons of the parish, to be Surueiors for one yeare, of the workes for the amendment of the highwayes in their parish, leading to any Market Towne, the which shall order and direct by their discretions, the persons and carriages appointed for those workes. And if any the persons so named to be Surueiors, will not take vpon him the execution of the said Office, he shall forfeit xx.s. 2. & 3. P. & M. 8. 29. El 5. Surueiors for the amendment of highwayes.

2 The Constables and Churchwardens shall then also apppoint six dayes for the mending of highwayes, before the natiuitie of Saint John Baptist, and shall openly in the Church vpon the Sunday after Easter, giue knowledge of the same six dayes. And euerie person hauing a Draught or Plough, which doth not send and find at euerie day and place appointed for the amending of highwayes in that parish, one waine or cart furnished after the custome of the countrey, with Oxen, Horses, or other cattell, and other necessaries meet to carrie things conuenient for that purpose, & also two able men with the same, for euery plough land in tillage or pasture that he hath, shall forfeit for euery draught making default x.s. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5. Six dayes for the amending of wayes. Each mans charge for a plough land.

3 If any of the carriages of the parish shall not be thought needfull by the Surueiors to be occupied vpon any of the said dayes, then such person as should haue sent carriage, shall send for euerie carriage so spared, two able men there to labour for that day, vpon paine to forfeit for euery man not sent xy. d. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5. Two men in stead of a carriage.

4 If any houlholder, Cottager, or Labourer, of the Parish, hauing no Plough, or Draught, able to labour, and being no hired seruant by the yeare, doth not by himselfe, or one sufficient Labourer for him, vpon euerie of the said six dayes, worke in the amendment of the Highwayes, hee shall forfeit for euerie day making default xy. d. which persons and carriages shal bring with them shouels, spades, mattocks, and other toles, & do such worke as they be appointed vnto by the Surueiors, by the space of eight houres in euerie of the said dayes (except they be otherwise licenced by the same Surueiors, or one of them) 2. & 3. P. & M. 8. 29. El. 5. The J. of peace within the Countie of Norffolke, shall and may yearely at any generall Sessions to be holden within the said Countie, for & towards the making and amending of any of the sea banks, or sea works within the said countie of Norff. (now being or that hereafter shall be in ruine or decay) limit and appoint so many of the aforesaid day workes, as by their discretions shalbe thought superfluous, & not needfull to be imployed towards the amendment of the aforesaid highwaies, within iy. miles of the said Sea bankes, or Sea workes, which shall needfully require any such reparation or amendment. And euerie person and persons, dwelling within three miles of the said Sea banks and Sea workes, needfully to be amended as is aforesaid, shall yearely vpon reasonable warning giuen, during so many dayes as shalbe limited and appointed in the said Sessions, in respect of his and their labour and carriages, stand and bee in that degree charged and chargeable towards the making, Cottager. Necessarie Toles. Repairing of Sea banks & Sea workes within the Countie of Norff.

making, repairing, and amending of the ſaid Sea banks, or Sea workes, as by the foreſaid Stat. of 2. & 3. P. & M. & 5. El. 13. they ſtand charged and chargeable for the amendment of any Highwayes: And they and euerie of them for the not doing and performing of the ſame, ſhall incurre the like paine, penaltie, and forfeiture, as is contained in the foreſaid Statutes, made for the amendment of Highwayes, and euerie of them. And the ſaid Juſtices likewiſe, in their aforeſaid generall Seſſions, ſhall and may nominat and appoint the High Conſtables of euerie Hundred, that ſhalbe charged or chargeable by force of this Act, towards the making or amending of the ſaid Sea banks, or Sea workes, to bee Surueiors of the ſaid Sea workes, and Sea bankes, and they and euerie of them ſhall take vpon them the execution of the ſaid charge and Office, and duely performe the ſame, vpon ſuch like paine and forfeiture, as by the ſaid Statutes, or any of them, be impoſed vpon any Surueior or Surueiors, for not taking vpon him or them the Office of Surueiors, for the amendment of Highwaies. And euerie perſon and perſons, which ſhalbe yerely charged to the making and maintenance of the ſaid bankes, or ſea workes, ſhalbe diſcharged of ſo many daies towards the making of the Highwaies, as ſhall bee imployed and beſtowed towards the making and amending of the ſaid ſea workes, and ſea banks: All the ſaid penalties and forfeitures to bee leuied in maner & forme as in the ſaid Stat. are limited or appointed. 27. El. 24. 1. Iac. 25. To endure vnto the end of the firſt Seſſiõ of the Parliament next enſuing.

High Conſtables Surueiors

Taking of other mens rubbiſh.

5 It is lawfull for euerie Surueyor, for the amending of the waies within the pariſh where he is Surueior, to take and carrie away ſo much of the rubbiſh or ſmalleſt broken ſtones which he ſhall find readie digged in any Quarrey, being within the Pariſh where hee is Surueior, as by his diſcretion ſhall be adiudged neceſſarie for the amending of the wayes, without licence, controlment, or impeachment of the owner. And for default of a Quarrey not found in the Pariſh, or of rubbiſh not found in ſuch Quarrey, it is lawfull for euerie ſuch Surueior to gather ſtones vpon any lands or grounds within the pariſh, meet to bee vſed to ſuch purpoſe, and likewiſe to digge or cauſe to be digged for grauell, ſand, or finder, for the ſaid vſe, in the ſeuerall ground of any perſon, where the ſame is like to bee found within the pariſh where he is Surueior, and nigh adioining to the way where ſuch reparations ſhalbe thought neceſſarie (ſo that it be not in the houſe, garden, orchard or medow of any perſon, nor aboue one only pit in any ſeuerall and incloſed ground, which pit ſhall not be in breadth or length aboue 12. yards ouer at the moſt,) And if the Surueior which ſhall cauſe ſuch pit to be digged, do not within one moneth after ſuch digging cauſe the ſame to be ſtopped vp with earth at the coſts of the Pariſhioners, he ſhall forfeit to the owner of the ſoyle, where the pit is made, 10. marks to be recouered by A. of debt. 5. El. 13. 29. El. 5.

Gathering of ſtones.

Digging for grauell.

Places not lawfull to dig in.

The Surueior ſhall ſtop the pit againe.

Turning a water courſe into any mans ground.

6 It is lawfull for euerie Superuiſor in the pariſh where &c. to turne a water courſe or ſpring of water, being in any highway, and very noiſome to the ſame, into any ditch of the ſeuerall ground of any perſon or perſons next adioyning to the ſaid highway in ſuch maner, as by the diſcretion of the ſaid Superuiſor ſhall bee thought moſt meet. 5. El. 13. 29. El. 5.

Fences and ditches neere vnto Highwayes.

7 The hayes, fences, dikes, or hedges, next adioining on either ſide to any highway, ſhall from time to time be diked, ſcoured, repaired, and kept low, and all trees and buſhes, growing in the highwayes cut downe by the owners, whereby the ſaid wayes may be open, and people may haue more ready and eaſie paſſage, vpon pain that euery perſon committing any offence to the contrarie, ſhall forf. for euerie default 12. s. 5. El. 13. 18. El. 9.

Preſentm. of the offences.

8 The Surueior which doth not within one moneth next after any offence committed by any perſon, contrary to the purport & meaning of any article aforeſaid, preſent euerie ſuch offence to the next Juſtice of Peace, ſhall forfeit for euery ſuch offence

offence not preſented fortie ſhillings. And if the ſame I. of P. do not certifie ỳ ſame preſentment at the next generall Seſſions within the ſame Countie, hee ſhall forf. v.l. 5. El. 13. 29. El. 5.

9 If the Bailife or High Conſtable of any Hundred, Rape, Lath, or Wapentake, to whom the Steward of any Leet or Lawday, or in default therof, the clerke of peace ſhall make and deliuer the eſtreats indented of all fines, forfeitures, and amerciaments preſented before him or them, cannot find any ſufficient diſtreſſe of any perſons offending contrarie to the purview of any article aforeſaid: or if the ſaid offendor ſhall obſtinatly refuſe to pay the ſaid amerciament, fine, or forfeiture, and doth not pay the ſame within xx. dayes after lawful demand of the ſame by the ſaid Officer, then he ſhall forf. double the ſumme that he ſhould haue paid. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5. S. Lects 12. Iuſt. of P. 69. Refuſing to pay the forfeiture.

10 If the Bailife, or head Conſtable doe not once euery yeare betwixt the firſt day of March and the laſt day of April, make a true accompt, and paiment of al ſuch ſummes of money (to the Conſtables and Churchwardens of euerie pariſh, wherein the offence was committed, or to two of them) which he ſhal haue collected vpon any of the aforeſaid eſtreats, he ſhal forf. for euerie time not ſo doing xl.s. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5. Conſtables accompt.

11 The Churchwardens of euerie pariſh may cal the Bailife and head Conſtable to accompt before the I. of peace, or two of them, whereof one to be of the Quorum, by bill, information, or otherwiſe, which Iuſt. haue authoritie to take the accompt, and to commit the ſaid Bailife or head Conſtable to priſon, vntill hee ſhall pay all ſuch arrerages as ſhalbe adiudged by the ſaid Iuſtices. And the fines, forfeitures, and amerciaments, due for any offence, contrarie to the purport of this Stat. ſhalbe to the Churchwardens, to be beſtowed about the repaire of the waies of the ſaid pariſh. But the bailife and head Conſtable vpon his accompts ſhal haue allowed for euerie pound he ſhall collect and pay, viy.d. for his owne paines, and ry.d. for the fees of the Clerke of the Peace, or Steward of the Leet, for the eſtreats indented of euerie ſeuerall pariſh that he ſhall deliuer. And the ſucceſſors of churchwardens ſhall haue the like action of accompt againſt their predeceſſors, as is before appointed againſt the Bailifes. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5. The head Conſtable cal-led to accompt. How the forf. ſhalbe imploted. Churchward. accompts.

12 Euerie perſon (except ſuch as ſhall dwell in the Citie of London) that ſhalbe aſſeſſed to the paiment of any Subſidie to the Quenes Maieſtie to v.l. in goods, or xl.s. in lands, or aboue, during all ſuch time as hee ſhall ſtand ſo aſſeſſed and not altered, being none of the parties chargeable for the amendment of Highwaies, by any former law, but as a Cottager, ſhall find two able men yearely to labour in the Highwayes, at ſuch dayes and times as are before limited and appointed. 18. Eliz. 9. The charge of each perſon being v.l. in goods, or xl.s. in lands.

13 Euerie other perſon that ſhall occupie a Plough land in tillage or paſture, lying in ſeuerall pariſhes, ſhalbe chargeable to the making of the waies within the pariſh where he dwelleth, as farre forth and in ſuch maner, as any perſon hauing a Plough land in any one pariſh, is or ought to be chargeable by reaſon of the ſaid former ſtat. or either of them. 18. El. 9. Hauing a plough land in ſeuerall pariſhes.

14 Euerie perſon keeping in his hands ſeuerall Plough lands in ſeuerall Townes, ſhal be charged to find in each Towne or Pariſh (where the ſaid plough lands do lye) one Cart, Waine, Tumbrell, Dungport or court Sleads, Carres, or Dragges, furniſhed for the repairing of Highwayes, within the ſeuerall Pariſhes where the ſaid Plough lands do lie, in ſuch maner as if he were a Pariſhioner dwelling within the Pariſhes where the ſame ſeuerall Plough lands doe lye. 18. Eliz. 9. A man hauing ſeuerall plough lands in ſeuerall pariſhes.

15 Euerie perſon that ſhall occupie any lands adioyning to any Highway, where any ditching or ſcouring ought to be, ſhall from time to time as need ſhall require, Ditching and ſcouring.

require, ditch and ſcoure in his ground ſo adioyning, whereby the water conueyed from the ſaid Highway ouer the ground nert adioyning, may haue paſſage ouer the ſaid ground ſo nert adioyning to that ground, vpon paine of forfeiture for euerie time ſo offending for euerie Rod not ſo ditched and ſcoured, twelue pence. 18. Eliz 9.

Caſting of ſoyle into the way.

16 No perſon hauing any ground by Leaſe or otherwiſe, adioyning to any Highway leading to any Market Towne, ſhall caſt or ſcoure any ditch, and lay the ſoyle thereof into the Highway, and ſuffer it to lye there by the ſpace of ſix monethes, to the annoyance of the ſaid Highway, vpon paine of forf. for euerie load of ſoyle ſo caſt &c. xij. d. And where any ſoyle hath bene ſo caſt into the Highway, that there is a banke betweene the ſaid Highway and the ditch, it is lawfull to the

Sluces to conuey the water into a ditch

Surueiors and workemen to make ſluces or other deuices by their diſcretions, to conuey the water out of the ſaid way into the ditch: any law or vſage &c. notwithſtanding. 18. El. 9.

How the penaltie ſhalbe leuied.

17 Euerie penaltie forfeited for any cauſe within this Statute, ſhalbe leuied in euerie pariſh by the Surueiors of the wayes within that pariſh by diſtreſſe, and ſale of diſtreſſe, in maner as fines and amerciaments in Leets haue bin vſed: And the money ſo leuied ſhalbe imploied vpon the highway where the offence was committed. And if the Surueiors ſhall not, or will not leuie and imploy the ſame within one yere after the offence ſo committed, then the ſaid forf. ſhalbe leuied in forme aforeſaid, by the Conſtables or Churchwardens of the Towne or pariſh where the worke ought to be done in the Highway: And he or they ſo leuying any of the ſaid penalties or forfeitures, ſhall make ſuch accompt as is appointed in the before recited Statutes. 18. El. 9.

The wayes ſhalbe 200. foot broad.

18 The Highwayes leading from one market towne to another, ſhall be enlarged there where any wood, hedges, or ditches be, ſo that there ſhalbe no ditch, wood, or buſh, where he that doth lewdly may eſcape, within two hundreth foot of the high way, on the one ſide, and two hundreth foot of the other (but this ſtatute extendeth not to Aſhes or great Trees.) And if any robberies be done by default of breaking downe ditches, vnderwood, and buſhes, the Lord ſhall anſwer therefore, and if it be a murder, the Lord ſhalbe puniſhed at the Kings pleaſure. And if the Lord bee not able to cut downe the vnderwood, the countrey ſhall helpe him. And within the K. demeſne woods within Foreſts, and without, the wayes ſhall bee enlarged, as before &c. And if any Parke bee nere vnto the Highway, the Lord thereof ſhall diminiſh it by the ſpace of two hundreth foot from the Highway, or elſe make ſuch a wall, ditch, or hedge, that offendors cannot go forward or backward to any hurt. Winchest. 13. E. 1. 5.

The repaire of highwayes in the wildes of Suſſex, Surrey, Kent

19 The occupiers of all maner of yron works whatſoeuer, as owners or farmers of the ſame by any eſtate of inheritance, for life, liues, or for terme of yeare, or yeares, or at will, which ſhall at any time hereafter carrie, or cauſe to bee carried, any coales, mine, or yron, to, or for any their works, betweene the xy. day of October, and the firſt day of May in any yeare, ſhall for euerie three loades of coale or mine, as alſo for euerie tunne of yron, which ſhalbe carried by any maner of waine or cart, betweene the xij. day of October, and the firſt day of May, by the ſpace of one mile, through any highway within the ſaid Wildes of Suſſex, Surrey, Kent, or any of them, ſhall pay, or cauſe to be paid vnto the Juſtices of Peace dwelling nere vnto the places in the Countie, where the Highwayes ſhall bee moſt annoyed, or his aſſignee, the ſumme of iij. s. the ſame to bee leuied, after default of paiment thereof, by ſuch J. of P. or aſſignee, by way of diſtreſſe of any of the goods and chattels remaining in the ſaid Countie, of ſuch perſon, as ſo ſhould haue payed ſuch ſumme. 39. El. 19.

20 Euerie perſon and perſons, occupier of yron worke, as aforeſaid, which ſhal

at

at any time hereafter carry, or cause to be caried any coales, myne, or ȳron, to, or for any their ȳron wo:kes, betwéne the first day of May, and the xȳ. day of October in any yeare, for euery thirtie loads of coales & myne, or either of them, & for euery tenne tunnes of ȳron, to be carried as afo:esaid, one load of sinder, grauell, stone, or chalke, mæt for the repairing & amending of the said Highwaies, as afo:esaid, to be laid & imployed in such place & places of the Highwaies, as by any J. of the Peace of any the Counties afo:esaid, dwelling nærr vnto the places, where ths said Highwaies within the limits afo:esaid shalbe most annoied, by any of the means afo:esaid, acco:ding to the greater & mo:e p:esent necessitie, shalbe appointed & assigned, or els pay, or cause to be paid, for & in allowance of euery cart load, in manner and fo:me afo:esaid, to haue bin so carried & laid iȳ.s. within 8. daies after the demaund thereof, at any such ȳron wo:ke made, to or from which ȳron wo:ke any such carriage shalbe, to the hand of the said J. of peace or his assignes, the same to be leuied after default of payment vpon the demaund thereof from time to time by way of distresse. 39. El. 19.

For euery 30 loads of coals, or myne, & for euery x. tuns of ȳron a load of grauell &c. or iȳ s.

Leuied by distresse.

21 If such J. of Peace by reason of absence, or other occasion, do not, or shal not within xl. daies next after the said first day of May, yærely assigne & appoint, where & in what place of the Highwaies the said sinder, grauel, stone, or chalke, to be caried as afo:esaid, or where or how the money thereof due, or so paid, shal be imployed & bestowed: Then the same sinder, grauell, stone, or chalke, shalbe laied & imployed by such person or persons, as by this act are to carry and lay the same, or to cause the same to be carried & laid in such place & places of the Highwaies, as the Surueyo:s within the parish for the time being, where the Highwaies shalbe most annoied as afo:esaid, shall assigne, or appoint, or in default thereof, pay to the said Surueyo:s for euery such load due & vncarried, iȳ.s. in manner & fo:me afo:esaid, vpon pain of fo:f. of x.s. for euery load of sinder, grauell, stone, or chalke, not carried, laied, & imploied in the Highwaies, or iȳ.s. vnpaid, as afo:esaid, to be fo:f. & paid by the person & persons, which by this act ought to carry & lay, or cause to be carried & laid, the sinder, grauell, stone, or chalke, or therefo:e to haue paid, as is afo:esaid, after due conuiction & p:esentment thereof had befo:e the J. of Oyer & terminer, or J. of Peace, in any of their open Sessions or Sessions, to be holden befo:e them, or any of them. 39. Eliz. 19.

In what place of the Highwayes the stone or grauel shalbe laid, & by whose appointment.

Forfeit x.s. a load.

22 All which summe & summes of money to be fo:feited, by reason of this Act, for, or in default of carriage or laying of the said sinder, grauell, stone, or chalke, or payment thereof as afo:esaid, shalbe likewise bestowed and imployed vpon the amendment and repairing of the Highwaies, at, and by the discretion of any such Justice of Peace, as shall dwell & be resident nert vnto the place and places, being most annoied by the cariages afo:esaid, the same to be leuied by way of distresse, by any Constable, Tithingman, Headbo:ough, or other Officer thereunto to be assigned, by warrant made in open Sessions by any Clerke of the peace of the County, where any the offence or offences afo:esaid shall be committed, or by any two Justices of peace, whereof one to be of the Quorum, which were p:esent at the Sessions, wherein the said conuiction, of, or for any the offences afo:esaid shall be had: And if no sufficient distresse can be found by the said Officer appointed to leuie the same, or if the said offendo:r do not pay the same, within twentie daies after a lawfull demaund of the same, by the said officer to be appointed for the leuying thereof, as afo:esaid: then euery person so denying or refusing, and not paying the same fo:feiture, within xx. daies afo:esaid, to fo:feit the double summe he should befo:e haue paid, to be leuied by such waies and meanes, as to any two of the Justices of the peace of the same County, where the said offence shalbe committed, wherof one to be of the Quorum, shalbe thought most mæt: The same fo:feiture to be likewise imploied vpon the amendment of the Highwaies, as the other fo:feiture should

How the fo:f. shalbe imploied.

If no distresse can be found, or the offendo:r do not pay.

haue bin, if the ſame had bin leuied, according to the true intent & meaning of this ſtatute. 39. El. 19.

In default of the Iuſt. the Surueiors ſhall appoint where the graue ſhal be laid.

23 The Surueior and Surueiors from time to time, for the time being, within the pariſh where the Highwaies ſhalbe moſt annoied, vpon default of the ſaid Iuſtices as aforeſaid, within 21. daies after ſuch default of the I. of peace, as aforeſaid, ſhall aſſigne or appoint, where, & in what place of the Highwaies, the ſaid ſinder, graueli, ſtone, or chalke, or the forf. of money to be beſtowed, ſhalbe carried and laid as aforeſaid, and vpon paine of forf. of euery ſuch Surueior or Surueiors, for euery ſuch default 21. s. And the ſaid Surueiors ſhall make demaund according to the limitation of this preſent Act, of all & euery ſuch forf. and ſummes of mony limitted to be paid in default of ſuch cariages as aforeſaid, vpon paine to forf. for euery ſuch default 21. s. And ſhall alſo make preſentment of euery ſuch default of carriage, or paiment, contrary to the tenor of this preſent act, at the next Qu. Sellion to be holden for the ſaid County, where ſuch default of cariage & paiment ſhalbe, vpon pain to forf. for euery ſuch default of preſentment as aforeſaid 21. s. The one moity of all ſuch forfeiture and forfeitures to be to the Q. the other moity to be to the I. to be recouered by A. B. P. I. in any of the Quæns Courts of Record, wherein no W. E. P. &c. 39. El. 19.

The Surueiors forfeiture.

1 For the repaire of Highwaies at the end of Bridges. S. Bridges 7.

2 Iuſtices of peace may inquire of, and preſent Highwaies not repaired. S. Iuſtices of peace 69.

3 For altering of Highwaies in the wild of Kent. S. 14. H. 8. 6.

4 For altering of Highwaies in Suſſex. S. 26. H. 8. 7.

5 For the repaire of Huntington lane neere Cheſter. S. 37. H. 8. 3.

6 For the repaire of the Highway betweene Shaftesburie and Shirborne. S. 1. Mar. 5.

7 For the repaire of the Highway betweene Briſtowe and Glouceſter. S. 2. Mar. 6.

8 For the repaire of Highwaies neere vnto Oxford. S. 18. Elizabeth. 19. 35. Elizab. 7.

9 For the repaire of the Way to Kings Ferrie in Kent. S. 18. Elizab. 9. 27. Elizab. 26.

10 For the repaire of the Highway leading from Nonſuch to Kingſton. S. 3. Iacob. 19.

Holy daies, and Faſting daies.

which onely ſhalbe Holy daies.

All the daies hereafter mentioned, ſhalbe kept, and commanded to be kept holy daies, & none other, That is to ſay, all Sundaies in the yeare, The daies of the feaſts of the Circumciſion of our Lord Jeſus Chriſt, of the Epiphanie, of the Purification of the bleſſed Virgin, Of S. Mathie the Apoſtle, Of the Annunciatiõ of the bleſſed Virgin, Of S. Parke the Euangeliſt, Of S. Philip and Jacob the Apoſtles, Of the Aſcention of our Lord Jeſus Chriſt, of the Nativity of S. I. Baptiſt, Of S. Peter the Apoſtle, Of S. James the Apoſtle, of S. Bartholmew the Apoſtle, of S. Mathew the Apoſtle, of S. Mich. the Archangell, of S. Luke the Euãgeliſt, Of S. Simon & Jude the Apoſtles, Of all Saints, Of S. Andrew the Apoſtle, Of S. Th. the Apoſt. Of the Nativitie of our Lord, Of S. Stephen the Martyr, Of S. I. the Euangeliſt, Of the holy Innocents, Munday & Tueſday in Eaſter weeke, and Munday & Tueſday in Whitſon weeke: and none other day ſhalbe kept and commaunded to be kept holy day, or to abſtaine frõ lawfull bodily labour. 5. & 6. Ed. 6. 3.

Faſting daies

2 Euery Euen, or day next going before any of the aforeſaid daies, of the feaſts

feaſts of the Natiuitie of our Lord, of Eaſter, of the Aſcention of our Lord, Pentecoſt, of the Purification, and the Annunciation of the aforeſaid bleſſed Virgin, Of all Saints, and of all the ſaid feaſts of the Apoſtles (other then of S. I. the Euangeliſt, and Philip and Iacob) ſhalbe faſted & commaunded ſo to be kept & obſerued, and none other euen or day ſhalbe commaunded to be faſted. 5. & 6. E. 6. 3. S. Fiſhdaies 1. &c.

3 It ſhalbe lawfull to all Archbiſhops & Biſhops, in their Dioces, & to all other hauing Eccleſiaſticall or Spirituall iuriſdiction, to enquire of euery perſon ỹ ſhall offend in the premiſſes, & to puniſh euery ſuch offendor by the cenſure of the church, & to enioine him or them ſuch penance, as ſhalbe to thé Spiritual Iudge, by his diſcretion thought méet & conuenient. 5. & 6. Ed. 6. 3. Puniſhmẽt by cenſure of the Church.

4 This Act ſhall not extend to abrogat or take away the abſtinence from fleſh in Lent, or on Fridaies or Saturdaies, or any other day which is already appointed ſo to be kept (by the ſtat. made 2. & 3. Ed. 6. 19. viz. Embring daies, or in any other day vſed commonly as a fiſh day within this Realme, ſauing S. Lawrence Euen, or S. Markes day) except onely of thoſe euens or daies, whereof the holy day next following is abrogated by this ſtat. Any thing aboue mentioned to the contrarie notwithſtanding. 5. & 6. E. 6. 3. Which be faſting daies from fleſh.

5 When & ſo often as it ſhall chance any of the ſaid feaſts (the euens whereof be by this ſtat. commanded to be kept faſting day) to fal vpon the Sunday: then, as it alwaies hath bin accuſtomably heretofore vſed, So hereafter the Saturday then next going before ſuch feaſt, or holy day, & not the Sunday, ſhalbe commanded to be faſted for the euen of any ſuch feaſt, or holy day: Any thing in this ſtat. declared &c. notwithſtanding. 5. & 6. E. 6. 3. Munday holy day, Saturday faſt.

6 Prouided alwaies, that it ſhall be lawfull to euery huſbandman, labourer, fiſherman, & to all and euery other perſon & perſons, of what eſtate, degrée, or condition he or they be, vpon the holy daies aforeſaid in harueſt, or at any other times of the yeare, when neceſſitie ſhall require, to labour, ride, fiſh, or worke any kind of worke at their frée wils & pleaſures: Any thing in this Act &c. notwithſtanding. 5. & 6. Ed. 6. 3. Working on holy daies.

7 Prouided alwaies, that it ſhalbe lawfull to the knights of the Garter, & to euery of them, to kéepe & to celebrate ſolemnly the feaſt of their order (commonly called S. Georges feaſt) yerely the xxy. xxiy. & xxiiy. daies of Aprill, & at ſuch order, time, & times, as yerely ſhal be thought conuenient by the K. his heires or ſucceſſors, & the ſaid knights of the ſaid order: any thing heretofore mentioned &c. notwithſtãding. 5. & 6. E. 6. 3. Qu. whether this ſtat. be in force or not, for it was repealed 1. M. 2. and that ſtat. of repeale was repealed. 1. Iac. 25. Knights of the Garter.

1 Yearely Morning Prayer ſhall bee ſayd vpon the fifth day of Nouember. Anno 3. Iacob. 1.

Homage and Fealtie.

NO perſon ſhall pay in the K. Erchequer, or any other Courts for the reſpite of Homage, of, or for any manors, lands, tenements, or hereditaments, wherof the clére yérely value exceédeth not v. l. aboue viy. s. & for the entring thereof, and warrant of Atturney, aboue iiy. s. 33. H. 8. 22. S. Exchequer 5. 13. Reſpite of homage.

2 When a Frée man ſhall doe homage to his Lord of whom he holdeth in fée, he ſhall hold his hands together betwéene the hands of his Lord, & ſhall ſay thus, I become your man from this time forward, for life, for member, and for worldly honour, and ſhall owe you my faith, for the lands that I hold of you, ſauing the faith that I doe owe to our Soueraigne Lord the King, and to mine other Lords. 17. Ed. 2. The forme of a freemans Homage.

A frée mans fealtie.

3 When a frée man ſhall do fealtie to his Lord, he ſhal hold his right hand vpon a booke, & ſhall ſay thus, Heare you my Lord R. that I P. ſhalbe to you both faithfull & true, & ſhall owe my fidelitie vnto you, for the land that I hold of you, & lawfully ſhall do ſuch cuſtomes & ſeruices, as my duty is to you at the termes aſſigned, ſo helpe me God &c. 17. Ed. 2.

A villeines fealtie.

4 When a villaine ſhall do fealty to his Lord, he ſhall hold his right hand vpon the booke, and ſay thus, Heare you my Lord A. that I B. from this time forth vnto you ſhal be true and faithfull, and ſhall owe you fealtie for the land that I hold of you in villenage, and ſhalbe iuſtified by you in body and goods, ſo helpe me God &c. 17. Edw. 2.

The Lord ſhall not haue wardſhip, vntill he hath taken homage.

5 If the heire of any which holdeth his lands of his Lord by Knights ſeruice, be within age, his Lord ſhall not haue the ward of him, nor of his land, before he hath taken of him homage. Mag. Chart. 9. H. 3. 3.

Hoppes.

Bringing into this realme corrupt hopps.

IF any Forreiner, Stranger, native Engliſh man, Denizen, Marchant, or any other perſon or perſons whatſoeuer, doe bring, or cauſe to be brought into this Realme of England, out from any other forreine Realme or Dominions, from beyond the Seas, any Hoppes being deceitfully or corruptly vncleane, corrupt, or mixt with any pouder, duſt, ſand, or other foyle whatſoeuer, Euery perſon offending therein contrary to this act, ſhall forfeit the ſame Hoppes ſo brought into this Realme. 1. Iac. 18.

Brewing with corrupt hops drinke to be ſold.

2 If any Brewer of Béere or Ale, or any other perſon, which ſhall buy the ſame Hoppes, ſo brought from beyond the ſeas, or growing within this Realme, & ſhall imploy & ſpend the ſame about the making or brewing of Béere or Ale to be ſold, being vnclean, corrupt, or mixt with pouder, duſt, droſſe, ſand, or any other foile whatſoeuer: Euery perſon ſo offending therein, contrary to the intent of this Act, ſhal in like ſort forf. for the ſame offence the value of thoſe Hoppes ſo bought, imploied, or ſpent in brewing. The one moitie of all which forf. ſhalbe to the King, his heires & ſucceſſors, the other moity to him or them that wil ſeize the ſame, or ſue for the ſame by B. P. I. or A. of debt, in any of the K. Courts of Record, wherein no Eſſoine, Protection, W. &c. ſhalbe allowed. 1. Iacob. 18. To continue to the end of the firſt Seſſion of the next Parliament.

Horſes, Mares.

Owners and farmers of Parkes charged to keepe Mares.

EVery perſon, as well Spirituall as Temporall, hauing any Parke or Ground incloſed with hedge, ditch, wall, or pale, in his owne hand, wherein any Déere is vſually kept for Game, containing the quantitie of one mile in compaſſe, and is thereof ſeized in fée ſimple, fée taile, or for terme of life, in poſſeſſion to his owne behoofe. And euery farmer of euery ſuch Parke and ground, being letten to farme, ſhall kéepe for euery ſuch Parke or ground incloſed, ſo long as the ſame ſhalbe vſed or kept with Déere in the ſame for Game, two Mares being not ſplayed, apt and able to beare Foles, each of them of the height of thirtéene handfuls at the leaſt, to be meaſured from the loweſt part of the hoofe of the forefoote, vnto the higheſt part of the ſhoulder, & euery handfull to containe iiij. ynches of the Standerd. And euery owner &c. or farmer of a Parke which is iiij. miles in compaſſe, or aboue, ſhal kéepe iiij. ſuch Mares &c. vpon paine of forf. of xl. s. for euery moneth lacking the ſaid Mares, to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. But if any of the ſaid Mares ſhall die by caſualtie, and the owner do prouide another of the foreſaid height within thrée moneths next after the death therof, he ſhall

not

not incurre the penaltie of this Stat. This Stat. ſhall not charge the owners of any parkes, or grounds incloſed, lying in Weſtmerland, Cumberland, Northumberland, or the Biſhoprick of Durham, to keepe any mares. Neither ſhall it charge any other perſon, the herbage of whoſe parke &c. is common to the inhabitants of the Townes nert adioyning. 27. H. 8. 6.

2 If any Lord, owner, or farmer of any parke or ground incloſed, appointed by this Act to keepe Mares, will willingly ſuffer any Mare to be couered with any little horſe or nagge of ſmall ſtature or value, he ſhall forfeit 10. s. to the K. and Jn. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 27. H. 8. 6. Mares ſhall not be couered with tits.

3 Whoſoeuer doth put to paſture, into, or vpon any Forreſt, Chaſe, Moore, Marſh, Heath, Common, or waſt ground, any ſtoned Horſe, being aboue the age of two yeares, and not being of the height of fiftæne handfuls, to be meaſured from the loweſt part of the hoofe of the fore foote, vnto the higheſt part of the wythers, (and euery handfull to containe foure ynches of the Standerd) to paſture, feed, or be, in, or vpon any of the ſaid Forreſts, Chaſes, Commons, &c. within any of the ſhires and territories of Norfolke, Suffolk, Cambridge, Buck. Hunt. Eſſex, Kent, Southhamſhire, North Wilſhire, Orford, Bark. Worceſter, Glouceſter, Somerſet, Northwales, Southwales, Bedford, Warwicke, Northhampton, Yorkſhire, Cheſhire, Stafford, the Countie of the Citie of Yorke, the Towne and liberties of Glouceſter, the Countie of the Towne of Kingſton vpon Hull, the Countie Palantine of Lancaſter, the Countie of Salop, Leiceſter, Hereford, Lincolne (except it be vpon any of the Marſh, or Seggie Fennie grounds within the Counties of Cambridge, Huntington, Northhampton, Lincoln, Norfolke, Suffolke, or within the Iſle of Ely) ſhall forfeit the ſaid Horſe. And whoſoeuer doth put to paſture vpon any of the foreſaid Marſhes, or ſeggie fennie grounds, in the ſaid laſt excepted Shires or places, any ſtoned Horſe aboue the age of two yeares, not being of fiue handfuls high, to be meaſured in form aforeſaid, ſhal forfeit the ſaid horſe. 8. Eliz. 8. 32. H. 8. 13. The height of horſes feeding vpon the common.

4 Whoſoeuer doth put to paſture any ſtoned horſe aboue the age of fiue yeres, not being fiue handfuls high, to be meaſured in forme aforeſaid, vpon any forreſt, chaſe, moore, marſh, heath, waſt or common, being within any other ſhire of this realme, then is firſt before ſpecified, ſhall forf. the ſame horſe: But no perſon ſhalbe preiudiced by the Stat. for the hauing or putting any horſe to feeding vnder the heights aforeſaid, vpō any common or waſt ground, where Mares or Fillies are not vſed or ſuffered to be kept. Nor for any ſtoned horſe of his which ſhal once in a yeare eſcape or breake out of his ſeuerall ground againſt his will, into any forreſt, chaſe, cōmon, &c. ſo that the ſaid horſe doth not remaine there fiue. dayes nert after ſufficient & opē notice giuen at his houſe, or publication made on a Sunday or feaſtiuall day in the pariſh church where he dwelleth, 32. H. 8. 13. The height of horſes feeding vpon the common in all other ſhires. Horſes breaking forth, or put where no mares be.

5 Whoſoeuer findeth any horſe in any forreſt, chaſe, cōmon, moore, marſh, heath, or waſt ground, contrary to this ſtatute, ſhal go vnto the keeper of the forreſt, chaſe, &c. or his deputy, or to the Conſtable, Baylife, Headborough, Bourtholder, or Tythingman of any towne nert adioining vnto the place where the ſaid horſe is, & cōmaund or require him in the K. behalfe, to go with him to bring ſuch horſe there feeding to the nert pound, & there the horſe ſhall be meaſured by the officer, in the preſence of fiue other honeſt men by the ſaid officer appointed, & if it be found, ỹ the ſaid horſe is contrary to this ſtatute, thē he that doth ſo challenge & ſeiſe him, may take & retaine him to his owne vſe, as his owne goods & cattels for euer, without veration, ſuit, or trouble of the owner, or of any other perſon. 32. H. 8. 13. Seiſure and meaſuring of a horſe not of a lawful height.

6 If any of the ſaid Keepers, Deputies, Baylifes, Conſtables, Bourtholders, or Tithingmen, or three perſons requeſted to be at the meaſuring of the ſaid Horſe, doe refuſe to doe as aforeſaid, or doe not truely meaſure ſuch Horſe, then euery of them Refuſing to meaſure a horſe not of lawful height.

them refuſing to doe, or not doing his duetie therein, ſhall forfeit xl. s. to the King and Informer, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 32.H.8.13.

Drifts of forreſts, cõmons, heaths.

7 If the Lords, owners, or poſſeſſors of forreſts and chaſes, or their Officers, or the Conſtables, Headboroughs, Bailifs, Bourſholders, and Tithingmen, within whoſe offices, precincts, & limits, the commons, moores, marſhes, heathes, and waſt groũds, being out of forreſts & chaſes, do lie, do not yerely at the feaſt of S. Michael the Archangell, or within xv. daies after, effectually drive the ſaid forreſts, chaſes, commons, moores, &c. the ſaid Officers &c. Bailifes, Conſtables, Headboroughs, &c. ſhall forf. for euery time the ſaid drift ſhalbe omitted xl. s. to the K. and I. &c. And it is lawfull for the ſaid Lords, owners, &c. and for the ſaid Conſtables, Bailifes, &c. within the limits of their offices, to make like drift of the ſaid forreſts, chaſes, commons, moores, mariſhes, heaths, & waſt grounds, at any other time of the yere, whẽ and as often as they ſhall thinke meet. 32.H.8.13.

Unlikely tits ſhalbe killed.

8 If in any of the ſaid drifts there ſhalbe found any Mare, Filly, Fole, or Gelding, that ſhalbe thought not able, or like to grow able to beare Foles of a reaſonable ſtature, or not able, or like to grow able to do profitable labours, by the diſcretiõ of the driuers, or the more number of them, thẽ the ſame driuers ſhal cauſe the ſame beaſts to be killed, & the bodies to be buried, or otherwiſe to be beſtowed where no annoyance ſhall grow. 32.H.8.13.

Infected Horſes.

9 Whoſoeuer ſhall haue, or put to paſture, any Horſe, Gelding, or Mare, infect with ſcab or mange, into, or vpon any forreſts, chaſes, moores, mariſhes, heaths, cõmons, waſt grounds, or common fields, ſhal forf. for euery Horſe, Gelding, or Mare ſo infected, x. s. to the Lord of the Leet where the offẽce ſhalbe preſented. 32.H.8.13. S. Iuſt. of Peace 47.

Keeping of Horſes by reaſon of degree or liuing.

10 Euery Archbiſhop and Duke of this Realme, ſhall haue, keepe, & maintaine, of their owne proper Horſes, and at their owne coſts, ſeuen ſtoned trotting horſes for the Saddle (being neither Cart nor Sumpter horſes) euery of the ſame horſes to be three yeares old and vpward, and in height xiiij. handfuls (reckoning to euery handfull foure ynches of the Standerd) to be meaſured from the nether part of the haire of the hoofe, vnto the vpper part of the wyderſons or ſhoulders. Euery Marques and Earle, and euery Biſhop, whoſe Biſhopricke is of the yearely value of a thouſand pounds, or aboue, ſhal find & maintaine fiue ſtoned trotting horſes for the Saddle, of the age & height aforeſaid &c. Euery Biſhop, whoſe Biſhoprick is of the yearely value of a thouſand Marks, or aboue, And euery Vicount & Baron hauing lands, tenements, fees, annuities, or offices, for terme of his life, to the cleere yearely value of a thouſand Markes, or aboue, ſhall find & maintaine three ſtoned trotting horſes, &c. And euery other Biſhop, Vicount, and Baron, not before mẽtioned, and alſo euery other Spirituall perſon hauing Benefices or promotions to the yearely value of fiue hundred Marks, & euery temporall perſon hauing lands, tenements, fees, annuities, or offices, for terme of life, in his owne right, or in his wiues, to the yearely value of 600. Marks, ſhal keepe and maintaine two ſtoned trotting horſes for the ſaddle, vpon paine that euery perſon aforeſaid, lacking the number of the ſaid horſes to him limitted, ſhall forf. for euery horſe ſo lacking by the ſpace of three months xx. l. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 33.H.8.5.

Keeping of Horſe by reaſon of the wiues apparel

11 Euery other Spirituall perſon vnder the degree of a Biſhop, hauing Benefices or promotions to the cleere yearely value of one hundred pounds or aboue, and not to the yearely value of fiue hundred Markes, and euery other perſon Temporall, not before mentioned, whoſe wife (being not diuorced, nor willingly abſenting her ſelfe from him) doth weare any Gowne, or Petticote of Silke, or any Veluet in her Kertle, or in the lyning or other part of her Gowne (other then in the cuffes

cuffes or purfles) or any Frenchhood, or Bonet of Velvet with any habiliment, paſſe, or edge of gold, pearle, or ſtone, or any chayne of gold about her necke, or in her Partlet, or in any apparrell of her bodie, ſhall haue, kæpe, and maintaine, as is aforeſaid, one ſtoned trotting Horſe for the Saddle, vpon paine of forfeiture for euery time that any of them ſhall want by the ſpace of three moneths one ſtoned trotting Horſe of the age and height aforeſaid, r. l. to the K. and J. to be recouered by A. J. &c. wherein no W. &c. But heires within age being Wards, whoſe lands, tenements, and hereditaments, amount to the yearely value of two hundred pounds, ſhal not be compelled by this Act, vntill they come to their full age, to kæpe any Horſes, although their wiues weare any Gowne of ſilke, or any Frenchhood or Bonet of Velvet with any habiliment, paſſe, or edge of gold, pearle, or ſtone, or any chaine of gold about their necks in their partlets, or in any apparell of their bodies. 33. H. 8. 5.

12 If the ſonne and heire apparant of any Duke, Marques, Earle, Vicount, or Baron, or of any other perſon hauing lands &c. to the yearely value of ſix hundred Marks, or aboue, hath lands, tenements, hereditaments, fées, offices, or annuities for terme of life, in his owne right, or his wiues, to the cléere yearely value of fiue hundred Markes, then he ſhall kæpe and maintaine one trotting ſtoned Horſe for the Saddle, in forme aforeſaid, vpon paine of forf. of xx. l. for euery three moneths that he ſhall want the ſame Horſe. But no ſuch ſonne and heire is compellable by force of this Act, to find or kæpe any Horſe in the life of his father, except he hath lands, tenements, annuities, fées, or offices, to the ſaid yearely value of fiue hundred Marks. And euery Sheriſe in any ſhire within this Realme, ſhall do his diligence & good endeuor to ſearch & know by vertue of his Office, all defaults done or committed by any perſon or perſons in lacking of Horſes contrary to this Act, as ſhall happen within the ſhire where he is ſheriſe, & ſhall once in the yeare, viz. in the Terme of S. Michael, certifie the ſaid defaults (if any be) into the Exchequer, by writing vnder his ſeale, to the intent that proces may be made againſt the offendors accordingly: And euery ſuch Certificat of the ſheriſe ſhall be of as good force & effect againſt the offendors, as any Information thereof made in the ſaid Exchequer. And in caſe any ſhalbe conuict vpon ſuch Certificats by confeſſion or triall by courſe of the Law: then the ſheriſe making ſuch certificat, ſhall haue one moitie of the forfeiture, and the King the other moitie. Prouided alwaies, That no perſon ſhall be impeached, moleſted, or troubled for any offence done contrary to this Act, by A. B. J. P. or certificat of the ſheriſe, vnleſſe the ſame A. B. J. P. or certificat be made or had within one yeare next after the offence done contrary to this Act. 33. H. 8. 5. S. Iuſtice of Peace 48.

The ſonne and heire of a Nobleman.

Inquirie and certificat by the Sheriſe.

13 If any of the foreſaid Horſes happen to be killed, maymed, or loſt in the Kings ſeruice, then the owner is at libertie at any time by the ſpace of two yeares next after ſuch chaunce, to prouide other in their ſtead, without any penaltie. 33. H. 8. 5.

If the horſe be killed in the K. ſeruice.

14 If any perſon do ſell, exchange, giue, conuey, or deliuer into the Realme of Scotland, to the vſe of any Scottiſh man, or into any place beyond the Sea, out of this Realme, or the dominions of the ſame, any Horſe, Gelding, or Mare, without ſpeciall licence therefore obtained of the King, or of his heires, vnder the great ſeale or priuy Signet: Or if any perſon do ſel, exchange, giue, or deliuer, to any Scottiſh man within this Realme of England, or Wales, the Towne of Barwicke, or the Marches of the ſame, to ỹ intent to be conueied into Scotland any Horſe, Gelding, or Mare, or do conuey or carry any Horſe, Gelding, or Mare, into any forrein parts beyond the Sea, without like ſpeciall licence obtained of the King, or of his heires, vnder the great Seale, or priuie Signet: then the ſame perſon ſhall forfeit to our Soueraigne Lord and his heires the ſame Horſe, Gelding, or Mare, ſo carried or conueied,

Tranſporting of Horſes into forreine Regions.

conueyed, and ſhall alſo loſe forty pounds for euery ſuch Horſe, Gelding, or Mare, ſo conueyed, to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. And alſo euery perſon ſo offending, ſhal ſuffer impriſonment by the ſpace of one whole yeare. And it ſhal be lawfull to euery perſon being the Kings ſubiect, to arreſt & impriſon euery Scottiſh man, and euery other perſon which ſhall lead or cõuey contrary to the meaning of this act, any ſuch Horſe, Gelding, or Mare, out of this Realme, into Scotland, or into any other forreine place beyond the ſea, other then ſuch perſons as ſhall haue ſufficient warrant from the King, or his heires, vnder his or their great Seale, or priuie Signet. But this Act ſhall not extend to any perſon which ſhal conuey any Horſe, Mare, or Gelding, into Scotland, or into forraine parts beyond the ſea, to ſerue the King in his Warres with the ſame. 1. Ed. 6. 5. 5. Eliz. 9.

Licences to tranſport horſes, & licences to giue licence.

15 But if the King, his heires or ſucceſſors, vnder his great Seale or priuie Signet, doe giue licence to any perſon or perſons, to carry any Horſes, Mares, or Geldings, into Scotland, or into any other parts beyond the Sea, or elſe doe giue authoritie or commaundement to any perſon or perſons by Warrant vnder the great Seale, to licence any other perſon or perſons to carry or conuey any horſes, mares, or geldings into Scotland, or into any parts beyond the Sea: Then it ſhall be lawfull as well to all perſons hauing ſuch licence vnder the Kings great Seale, or priuie Signet, as to euery other perſon hauing licence in writing vnder the Seale of ſuch perſon or perſons, to whom the King ſhall giue authority or commaundement in forme aboueſaid, to licence other, to carry or conuey ſuch number of Horſes, Geldings, or Mares, or any of them into Scotland, or into any of the parts beyond the Sea, as ſhalbe mentioned in any ſuch licences. 1. Edw. 6. 5. 5. Eliz. 19.

Licence ſhewed to the Wardens of the Marches.

16 Euery ſuch perſon which ſhall be licenced according to this Act, to carry or conuey any Horſes, Mares, or Geldings, into Scotland, ſhall before the ſame carriage, or conueyance, vpon the paine of forfeit. of the ſaid Horſe, &c. or the double value thereof to the King and I. &c. ſhew his ſaid licence to one of the three Wardens of the three Marches of England, to the intent that one of the ſaid Wardens ſhall cauſe the number of the ſaid Horſes, &c. ſo licenced to be conueyed into Scotland, not onely to be Kalendred in a Booke, to remaine in his owne cuſtodie, but alſo to bee indorſed and written on the backeſide of the ſaid licence, and the ſame indorſement to be ſigned with the hand of the ſaid Warden. 1. Edw. 6. 5. 5. Eliz. 19.

Warden of the fiue Ports.

17 But this Act ſhall not be preiudiciall to the Maſter of the Kings horſes, for ſuch things and commodities as ſhall concerne his Office. And notwithſtanding this Act, the Warden of the fiue Ports may yearely at his pleaſure giue ſix horſes or geldings (and no more within one yeare, at one or diuers times vpon like paine as aforeſaid) to any perſon or perſons in the parts beyond the ſeas, being in amitie with the K. or his ſucceſſors. And it ſhalbe lawfull to any of the K. ſubiects, to carry or ſend into any parts beyond the ſea, any Mares, whereof ỹ price of any one Mare ſo to be carried, doth not exceed x. s. in ſuch manner as Mares being of the prices of vj. s. viij. d. bin or might haue bin conueied ouer the ſeas before the making of this act, (viz. per ſtat. 11. H. 7. 13.) any thing in this act, or any other act &c. notwithſtanding. 1. Ed. 6. 5. 5. El. 19.

Mares of x. s. price may be tranſported.

1 Concerning ſelling of Horſes, appointing a place, and paying toll for them in a Faire or Market. S. Faires 4. 5. 6. 7. 8.

2 Neither the Horſe-ſtealer, nor the acceſſorie before or after, ſhall haue his clergie. S. Clergie 13.

3 It is felony to ſell, exchange, or deliuer in Scotland, or the batable ground, any Horſe, Gelding, &c. S. Felonie.

Hoſ-

Hoſpitals.

Viſitation of Hoſpitals.

THe Hoſpitals, which be of the patronage and foundation of the King, the Ordinaries by vertue of the K. Commiſſions, to them directed, ſhal enquire of the manner, and of the foundation of the ſaid Hoſpitals, and of the gouernance & eſtate of the ſame, and of all other matters neceſſary and requiſite in this behalfe, and the inquiſitions thereof taken, ſhall certifie in the Chauncerie. And as to other Hoſpitals, which be of another foundation and patronage then of the K. the Ordinaries ſhall enquire of the manner of the foundation, eſtate, and gouernance of the ſame, & of all other matters & things neceſſary in this behalfe: and vpon that make therof correction and reformation after the lawes of holy Church as to them belongeth. Anno 2. H. 5. 1.

It ſhalbe lawful for any perſon to erect an Hoſpitall, or houſe of correction.

2 All and euery perſon and perſons, ſeiſed of an eſtate in fée ſimple, their heires, executors, or aſſignes, at his or their wils and pleaſure, ſhall haue full power, ſtrength, licence, and lawfull authoritie, at any time during the ſpace of 11. yeares next enſuing, by déed inrolled in the high Court of Chauncerie, to erect, found, and eſtablish one or more Hoſpitals, Meaſons de dieu, abiding places, or houſes of correction, at his or their will and pleaſure, as well for the finding, ſuſtentation, and relieſe of the maimed, poore, nédie, or impotent people, as to ſet the poore to worke, to haue continuance for euer, and from time to time to place therein ſuch head and members, and ſuch number of poore, as to him, his heires and aſſignes, ſhall ſéeme conuenient: And the ſame Hoſpitals, or houſes ſo founded, ſhalbe incorporated and haue perpetuall ſucceſſions for euer, in fact, déed, and name, and of ſuch head, members, and numbers of poore, néedy, maimed, or impotent people, as ſhall be appointed, aſſigned, limitted, or named by the founder or founders, his or their heires, executors, or aſſignes, by any ſuch déed inrolled: And ſuch Hoſpitall, Meaſon de dieu, abiding place, or houſe of correction, and the perſons therein placed, ſhalbe incorporated, named, and called by ſuch name, as the ſaid founder or founders, his heires, executors, or aſſignes, ſhall ſo limit, aſſigne, and appoint: And the ſame Hoſpitall, Meaſon de dieu, abiding place, or houſe of correction, ſo incorporated and named, ſhalbe a body corporat and politike, and ſhall by that name of Incorporation, haue full power, authoritie, and lawfull capacitie and abilitie to purchaſe, take, hold, receiue, enioy, and haue to them and to their ſucceſſors for euer, as well goods and chattels, as manors, lands, tenements, and hereditaments, being fréehold of any perſon or perſons whatſoeuer: ſo that the ſame exceéd not the yearely value of two hundred pounds aboue all charges and repriſes, to any one ſuch abiding houſe, Hoſpitall, Meaſon de dieu, or houſe of correction: And ſo as the ſame or any part thereof be not holden of our Soueraign Lady the Quéene, her heires, or ſucceſſors, immediatly in chiefe, or els of our ſaid Soueraigne Lady the Quéene, or any other perſon by Knight ſeruice, without licence or writ of Ad quod damnum, or the Statute of Mortmaine, or any other ſtatute or law to the contrary notwithſtanding. 39. Eliz. 5.

Incorporatiõ by the founder

Named by the founder.

A body corporat & politike.

Purchaſe goods or lands

200. pounds by the yeare.

Lands not holdẽ in chiefe or by Knights ſeruice.

3 And the ſame Hoſpitall, Meaſon de Dieu, abiding place, or houſe of correction, & the perſons ſo being incorporated, founded, & named, ſhall haue full power & lawfull authority by the true name of the incorporation thereof, to ſue & to be ſued, implead, & to be impleaded, to anſwere & to be anſwered vnto, in all manner of Courts & places that now are, or hereafter ſhalbe within this Realme, as well Temporal as Spirituall, in all manner of ſuits whatſoeuer, & of what nature & kind ſoeuer ſuch ſuits or actions be or ſhalbe. 39. El. 5.

In Hoſpitall may ſue and be ſued.

In Hoſpitall ſhall haue a cõmon Seale.

4 And the ſame Hoſpitall, Meaſon de Dieu, abiding houſe, or houſe of correction, ſhall haue and enioy for euer ſuch a common Seale or Seales, as by the ſaid foun-

founder or founders, his, or their heires, executors, or aſſignes, ſhall be in writing vnder his or their hand and ſeale aſſigned, named, or appointed: whereby the ſame Corporation ſhall or may ſeale any manner of inſtrument touching the ſame incorporation, & the lands, tenements, hereditaments, goods, or other things thereto belonging, or in any wiſe touching or concerning the ſame. And further ſhall be ordered, directed, & viſited, placed, or vpon iuſt cauſe diſplaced by ſuch perſon or perſons, bodies politike, or corporate, their heires, ſucceſſors, or aſſignes, as ſhal be nominated or aſſigned by the founder or founders therof, their heires, or aſſigns, according to ſuch Rules, Statutes, and Ordinances, as ſhall be ſet forth, made, deuiſed, or eſtabliſhed by the ſaid founder or founders, their heires, or aſſigns, in writing vnder his or their hand & ſeale, not being repugnant or contrary to the lawes & Statutes of this Realme: any law, ſtatute, cuſtome, vſage, or other thing whatſoeuer to the contrary in any wiſe notwithſtanding. And it ſhalbe lawfull to the founder or foũders, his & their heires or aſſigns, vpon the death or remouing of any head or member of any ſuch corporation to place one other in the rome of him that dieth, or is remoued, ſucceſſiuely for euer. 39. El. 5.

The ordering directing, viſiting, placing, & remouing.

The ſtatutes & ordinances of the founder.

The founder may place the head or mẽber

Leaſes made by hoſpitals.

5 Prouided alwaies, that all leaſes, graunts, conueiance, or eſtates, to be made by any corporation, ſo to be foũded, as aforeſaid, exceeding the number of xxi. yeres, and that in poſſeſſion, & whereupon the accuſtomable yearely rent, or more, by the greater part of xx. yeres next before the making of ſuch leaſe, ſhall not be reſerued & yearely payable, ſhalbe void. 39. El. 5.

Others right ſaued.

6 Sauing to all perſons, bodies politicke and corporat, their heires and ſucceſſors (other then the founders and giuers, their heires & ſucceſſors) all ſuch right, title, claime, poſſeſſion, rents, ſeruices, commons, demands, intereſt, & profits, which they or any of them ſhall haue, or of right ought to haue, of, in, or to any the Lands, Tenements, or Hereditaments, hereafter to be giuen, limitted, or aſſigned in forme aforeſaid, in as ample manner, as if this ſtatute had neuer bẽn had or made. 39. Eliz. 5.

Certaine perſons not enabled to erect Hoſpitals &c.

7 Prouided alſo, that this Act, or any thing therein contained, ſhall not extend to enable any perſon or perſons, being within age, women couert without their huſbands, or of non ſanæ memoriæ, to make any ſuch Corporation, or to endow the ſame: Any thing in this preſent Act to the contrary thereof, in any wiſe notwithſtanding. 39. Eliz. 5.

10. l. land at the leaſt.

8 Prouided alwaies, that no ſuch Hoſpitall, Meaſon de Dieu, abiding place, or houſe of correction, ſhalbe erected, founded, or incorporated by force of this act, vnles vpon the foundation or erection thereof, the ſame be endowed for euer with lands, tenements, or hereditaments, of the cleare yearely value of x. l. by the yeare. 39. Eliz. 5.

No lands or goods of an Hoſpitall ſhall be tranſferred to any other.

9 Prouided alſo, that no ſuch incorporation to be founded by force of this act, ſhall at any time hereafter do, or ſuffer to be done, any act or thing whereby or by means whereof any the lands, tenements, hereditaments, ſtocke, goods, or chattels of ſuch incorporation, or any eſtate, intereſt, poſſeſſion, or property of or in the ſame, or any of them ſhal be veſted or tranſferred in or to any other whatſoeuer, contrarie to the true meaning of this act: And that ſuch conſtruction ſhal be made vpon this act, as ſhalbe moſt beneficiall & auaileable for the maintenance of the poore, & for repreſſing & auoiding of all acts & deuices to be inuented, or put in vre, cõtrary to the true meaning of this act. 39. El. 5.

Conſtruction of this Act.

Hoſpitall.

10 Whereas lands, tenements, rents, annuities, profites, hereditaments, goods, chattels, money, and ſtockes of money haue bẽn heretofore giuen, limitted, appointed, and aſſigned, as well by the Quẽne and her Progenitors, as by ſundry other well diſpoſed perſons, ſome for relefe of aged, impotent, and poore people, ſome for maintenance of ſicke and maimed Souldiers and Mariners, Schooles

of

of Learning, free Scholes, and ſcholliers in Vniuerſities, ſome for repaire of Bridges, Ports, Pauens, Cauſeyes, Churches, Sea Bankes, and High wayes, ſome for education and preferment of Orphanes, ſome for or towards reliefe, ſtocke, or maintenance for houſes of correction, ſome for marriages of poore maids, ſome for ſupportation, aide, and helpe of young tradeſmen, handycrafts men, and perſons decayed, and others for reliefe or redemption of priſoners or captiues, and for aide or eaſe of any poore inhabitants, concerning payment of Fiftenes, ſetting out of Souldiors, and other Taxes: it ſhall and may be lawfull to and for the L. Chauncellor or Keeper of the great Seale of England for the time being, & for the Chauncellor of the Duchie of Lancaſter, for the time being, for lands within the Countis Palantine of Lancaſter, from time to time, to award Commiſſions vnder the great Seale of England, or the Seale of the County Palantine, as the caſe ſhal require, into all or any part or parts of this Realme reſpectiuely, according to their ſeuerall Juriſdictions, as aforeſaid, to the Biſhop of euery ſeuerall Diocelle and his Chancellor (in caſe there ſhal be any biſhop of that Dioces, at the time of awarding of the ſame Cõmiſſions) and to other perſons of good & ſound behauior, authoriſing them thereby, or any iiij. or more of them, to enquire as well by the othes of twelue lawfull men or more of the Countie, as by all other good & lawfull waies & meanes, of all and ſingular ſuch gifts, limitations, aſſignements, and appointments aforeſaid, and of the abuſes, breaches of truſts, negligences, miſ-imployments, not imploying, concealing, defrauding, miſ-conuerting, or miſ-gouernment of any lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, or ſtockes of money, heretofore giuen, limitted, appointed, or aſſigned, or which hereafter ſhalbe giuen, limitted, appointed, or aſſigned, to or for any the charitable and godly vſes before rehearſed. And after the ſaid Commiſſioners, or any foure, or more of them (vpon calling the parties intereſſed in any ſuch landes, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and ſtocks of money) ſhall make enquirie by the oathes of twelue men, or more of the ſaid Countie (whereunto the ſaid parties intereſſed ſhall and may haue, and take their lawfull challenge and challenges) and vpon ſuch enquirie, hearing, and examining therof, ſet downe ſuch Orders, Judgements, and Decrees, as the ſaid lands, tenements, rents, annuities, profites, goods, chattels, money, and ſtockes of money, may bee duly and faithfully imployed to and for ſuch of the charitable vſes & intents, before rehearſed, reſpectiuely, for which they were giuen, limitted, aſſigned, or appointed, by the donors and founders thereof: Which Orders, Judgements, and Decrees, not being contrary or repugnant to the Orders, Statutes, or Decrees of the donors or founders, ſhall ſtand firme and good, according to the tenor and purport thereof, & ſhall be executed accordingly, vntill the ſame ſhal be vndone or altered by the Lord Chauncellor of England, or Lord Keeper of the great Seale of England, or the Chauncellor of the Countie Palantine of Lancaſter, reſpectiuely, within their ſeuerall iuriſdictions, vpon complaint by any party grieued, to be made to the. 43. Eliz. 4.

Commiſſions to enquire of the gift of lands & goods to charitable vſes.

Foure Commiſſioners at the leaſt.

The enquirie.

The Cõmiſſioners Orders

The Cõmiſſioners Orders ſhalbe executed.

The Cõmiſſioners Orders allowed.

11 Prouided alwaies, that neither this act, nor any thing therein contained, ſhal in any wiſe extend to any landes, tenements, rents, annuities, profits, goods, chattels, money, or ſtockes of money, giuen, limitted, appointed, or aſſigned, or which ſhall be giuen, limitted, appointed, or aſſigned, to any Colledge, Hall, or Houſe of Learning, within the Vniuerſities of Oxford & Cambridge, or to the Colledges of Weſtminſter, Eaton, or Winchester, or any of them, or to any Cathedrall or Collegiat Church within this Realme. 43. El. 4.

Colledges, Hals in Oxford, or Cambridge, Weſtminſter, Eaton, Winchester, Cathedrall Church.

12 Prouided alſo, that neither this Act ſhall extend to any citie or towne corporate, or to any the Lands or Tenements giuen to the vſes aforeſaid within any ſuch citie or towne corporate, where there is a ſpeciall Gouernour or Gouernours appoin-

Citie, Towne corporate.

Hoſpitall, frée Schoole.

appointed to gouerne or direct ſuch Lands, Tenements, or things diſpoſed to any the vſes aforeſaid, neither to any Colledge, Hoſpitall, or frée Schoole, which haue ſpeciall Viſitors, or Gouernours, or Ouerſeers, appointed them by their founders. 43. Eliz. 4.

Ordinaries Iuriſdiction.

13 Prouided alſo, that neither this act, nor any thing therein contained, ſhall be any way preiudiciall or hurtfull to the iuriſdiction of the Ordinarie, or power of the Ordinary, but that he may lawfully in euery cauſe execute & performe the ſame, as though this act had neuer bin had or made. 43. El. 4.

None ſhalbe Commiſſioner or Iuror, which hath any part of the lands or goods in queſtion.

14 Prouided alſo, that no perſon or perſons that hath or ſhal haue any of the ſaid lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, mony, or ſtockes of money in his hands or poſſeſſion, or doth or ſhal pretend title thereunto, ſhall be named a Commiſſioner or a Iuror for any the cauſes aforeſaid, or being named, ſhall execute or ſerue in the ſame. 43. El. 4.

Purchaſes of the lands bona fide.

15 Prouided alſo, that no perſon or perſons which hath purchaſed or obtained, or ſhal purchaſe or obtaine vpon valuable conſideration of mony or land any eſtate or intereſt, of, in, to, or out of any lands, tenemẽts, rents, annuities, hereditamẽts, goods, or chattels, that haue bin or ſhalbe giuen, limitted, or appointed, to any the charitable vſes aboue mentioned, without fraud or couin, hauing no notice of the ſame charitable vſe, ſhall not be impeached by any Decrées or Orders of Commiſſioners aboue mentioned, for, or concerning the ſame his eſtate, or intereſt. And yet neuertheleſſe, be it enacted, That the ſaid Commiſſioners, or any foure, or more of them, ſhall and may make Decrées and Orders, for recompence to be made by any perſon or perſons, who being put in truſt, or hauing notice of the charitable vſes aboue mentioned, hath or ſhall breake the ſame truſt, or defraud the ſame vſes, by any Conueiance, Gift, Graunt, Leaſe, Demiſe, Releaſe, and Conuerſion whatſoeuer, and againſt the Heires, Executors, and Adminiſtrators, of him, them, or any of them, hauing Aſſets in law or equity, ſo farre as the ſame Aſſets wil extend. 43. Eliz. 4.

Recompence by thoſe which break the truſt

Lands aſſured to K. H. 8. Edw. 6. Qu. Mary, & Qu. Eliz.

16 Prouided alwaies, that this Act ſhall not extend to giue power or authoritie to any Commiſſioners before mentioned, to make any Orders, Iudgements, or Decrées, for or concerning any Manors, Lands, Tenements, or other Hereditaments aſſured, conueyed, graunted, or come vnto the Quéenes Maieſtie, to the late King Henry the eight, King Edward the firſt, or Quéene Mary, by Act of Parliament, Surrender, Exchange, Relinquiſhment, Eſcheate, Attainder, Conueyance, or otherwiſe. And yet neuertheleſſe, be it enacted, That if any ſuch Manors, Lands, Tenements, or Hereditaments, or any of them, or any Eſtate, Rent, or Profit thereof, or out of the ſame, or any part thereof, haue or hath bẽn giuen, graunted, limitted, appointed, or aſſigned, to, or for any the charitable vſes before expreſſed, at any time ſithence the beginning of her Maieſties Raigne: That then the ſaid Commiſſioners, or any foure, or more of them, ſhall and may as concerning the ſame Lands, Tenements, Hereditaments, Eſtate, Rent, or Profite, ſo giuen, limitted, appointed, or aſſigned, proceed to enquire and make Orders, Iudgements, and Decrées, according to the purport and meaning of this Act, as before is mentioned: The ſaid laſt mentioned Prouiſo notwithſtanding. 43. Eliz. 4.

Certifying of the Orders.

17 All Orders, Iudgements, and Decrées of the ſaid Commiſſioners, or of any foure, or more of them, ſhall be certified vnder the Seales of the ſaid Commiſſioners, or any foure, or more of them, either into the Court of the Chaunceríe of England, or into the Court of the Chauncerie, within the Countie Palantine of Lancaſter, as the caſe ſhall require, reſpectiuely, according to their ſeuerall Iuriſdictions, within ſuch conuenient time, as ſhall be limitted in the ſaid Commiſſions. And the ſaid Lord Chauncellor, or Lord Keeper, and the ſaid

Chaun-

Chancellor of the Duchie, ſhall and may within their ſaid ſeuerall Iuriſdictions, take ſuch order for the due execution of all or any of the ſaid Iudgements, decrees, and orders, as to either of them ſhall ſeeme fit. Order for the execution of the Commiſſioners Decrees.

18 And if after any ſuch Certificat or Certificats made, any perſon or perſons ſhall find themſelues grieued with any of the ſaid orders, Iudgements, or decrees, then it ſhall and may be lawfull to and for them, or any of them, to complaine in that behalfe vnto the ſaid Lord Chauncellor, or Lord Keeper, or to the Chauncellor of the ſaid Duchie of Lancaſter, according to their ſeuerall iuriſdictions for redreſſe therein: And vpon ſuch complaint, the ſaid Lord Chauncellor, or Lord Keeper, or the Chauncellor of the Duchie may according to their ſaid ſeuerall Iuriſdictions, by ſuch courſe, as to their wiſedomes ſhall ſeeme meeteſt, the circumſtances of the caſe conſidered, proceed to the examination, hearing, and determining thereof, and vpon hearing thereof, ſhall and may adnull, diminiſh, alter, or enlarge the ſaid orders, Iudgements, and Decrees of the ſaid Commiſſioners, or any foure or more of them, as to either of them in their ſaid ſeuerall Iuriſdictions, ſhall bee thought to ſtand with equitie and good conſcience, according to the true intent and meaning of the Donors, and Founders thereof: And ſhall and may take and award good coſts of ſuit, by their diſcretions, againſt ſuch perſons, as they ſhal find to complain vnto them, without iuſt and ſufficient cauſe, of the orders, Iudgements, and decrees, before mentioned. 43. El. 4. A remedie for any perſon grieued.

19 An Act made Anno 39. El. 6. To reforme deceits and breaches of truſts, touching lands giuen to charitable vſes, ſhalbe from henceforth repealed. And yet ſo much of the ſaid Act as concerneth the execution of orders, Iudgements, and decrees, heretofore made by Commiſſioners, aſſigned by vertue of the ſaid Act, and examination, hearing, and determining of the ſaid orders, Iudgements, and decrees, by ſuch Commiſſioners heretofore made, ſhal ſtand and remain in force, only, as for and concerning ſuch Iudgements, and decrees, as heretofore haue beene made by vertue of the ſame Act, and of Commiſſions thereupon awarded. 43. Elizabeth. 9. Coſt of ſuit againſt the Complainers

1 For Leaſes made by the Maſter and Guardian of an Hoſpitall. S. Eccleſiaſticall 7.

2 Remedie for the Maſter of the Hoſpitall of Saint Leonard in Yorke. S. 2. H. 6. 2.

Huy and Crie.

IF any be ſuſpected of the death of any man, being in danger of life, he ſhall bee taken and impriſoned. And Huy ſhall be leuied for all Murders, Burglaries, and for men ſlaine, or in perill to be ſlaine, as otherwhere is vſed in England, and all ſhall follow the Huy and ſteps, as neere as can be. And he that doth not, and is conuicted thereupon, ſhalbe attached to be before ỳ I. of Gaole deliuerie. Officiũ Coronatoris. 3. E. 1. Immediatly after any Felonies and robberies be committed, Freſh ſuit ſhalbe made from towne to towne, and from countrey to countrey: And Enqueſts ſhall be taken (if need be) by him that is chiefe Lord of the Town, and after in Hundreds, Franchiſes, and in the Countie, and ſometime in two, three, or foure Counties, in caſe where felonies be committed in the Marches of Shires, ſo that offendors may be attainted, and ſuffer puniſhment. And if the Countrey will not anſwer for the bodies of ſuch offendors, the people dwelling in euerie ſuch Countrey, ſhall anſwer for the robberies done, and the damages, ſo that the whole Hundred, where the robberie ſhall bee done, with the Franchiſes which bee within the ſame Hundreds, ſhall anſwer for the robberies done. And if the robberie bee done in the diuiſion of two Hundreds, then both the Hundreds, together with the franFreſh ſuit.

The countrey shal answer, if the robbers be not taken.

chises within the precinct of them, shall answer. And the Countrey shall haue no longer time after the robbery and felony committed but xl. daies (28.E.3.11.) within the which they must agree, for the robbery and offence, or else they shalbe answerable for the bodies of the offendors. Winch. 13.E.1.1.2.S. Felonie 40.

The inhabitants of a hundred where fresh suit shall cease, chargeable.

2 The Inhabitants and resiants of euerie or any such hundred (with the franchises within the precinct thereof) wherein negligence, fault, or defect of pursuit and fresh suit after Huy and Crie made, shall happen to be, shall answer and satisfie the one moitie or halfe of all and euerie such summe and summes of money and damages, as shall by force and vertue of the said Stat. (viz of 13.E.1.& 28.E.3.) or either of them, be recouered or had against, or of the said Hundred, with the Franchises therein, in which any robberie or felonie shall at any time hereafter bee committed or done: And the same moitie shall and may be recouered by A. of debt, Bil, Plaint, or Information, in any of the M. Courts of Record at Westminster, by, and in the name of the Clerke of the peace for the time being, of, or in euerie such Countie within this Realme, where any such robberie and recouerie by the partie or parties robbed, shall be, without naming the Christian name or sirname of the said Clerke of the peace. Which moitie so recouered, shalbe to the only vse and behoofe of the Inhabitants of the said Hundred where any such robberie or felonie shalbe committed or done. 27. El. 13.

The Clerke of the peace shall prosecute the suit.

The Clerke of the peace commencing a suit, doth dye, or is remoued

3 If any Clerke of the peace, of, or in any Countie within this Realme, shall at any time hereafter commence or prefer any such suit, action, or information, & shall after the same so sued, commenced, or preferred, happen to die, or to be remoued out of his office, before recouerie and execution had, yet no such Action, suit, Bil, plaint, or information, sued, commenced, or preferred, shall by such displacing or death bee abated, discontinued, or ended. But it shall and may be lawfull to and for the clerk of the peace next succeeding in the said Countie, to prosecute, pursue, and follow all and euerie such Action, Bill, Plaint, Suit, and Information for the causes aforesaid, so hanging and depending, in such maner and forme, and to all intents & purposes, as the Clerke of peace might haue done, which first commenced or preferred the said suit, bill, plaint, or information. 27. El 13.

A remedie for those against whō executiō is had to haue contribution of the residue of the hundred

4 And although the whole Hundred, where such robberies and felonies are committed with the Liberties (within the Precinct thereof) are by the said two former Statutes charged with the answering to the partie robbed, his damages: yet neuertheless, the recouerie and execution by and for the partie or parties robbed, is had against one or a verie few persons of the said Inhabitants, and he, and they so charged, haue not heretofore by Law had any meane or way, to haue any contribution of or from the residue of the said Hundred, where the said robberie is committed, to the great impouerishment of them, against whom such recouerie or execution is had. For remedie whereof, be it enacted &c. that after execution of damages by the partie or parties so robbed had, It shall and may be lawfull (vpon complaint made by the party or parties so charged) to and for two Iustices of the peace (whereof one to be of the Quorum) of the same Countie, inhabiting within the said Hundred, or nere vnto the same, where any such execution shall be had, to assesse and tare rateably, and proportionably, according to their discretions, all and euerie the Townes, Parishes, Villages, and Hamlets, as well of the said Hundred where any such robberie shall be committed, as of the Liberties within the said Hundred, to and towards an equal contribution to be had and made, for the releefe of the said Inhabitant or Inhabitants, against whom the partie or parties robbed, before that time, had his or their execution. And that after such Taration made, the Constables, Constable, Headboroughes, or Headborough of euerie such Towne, Parish, Village, and Hamlet, shall by vertue of this Act haue full power and authoritie within their seuerall limits, rateably and proportionably to tare and assesse according

cording to their abilities, euerie inhabitant and dweller in euerie such towne, parish, village, and hamlet, for and towards the paiment of such taration and assessement, as shalbe so made vpon euerie such towne, parish, village, and hamlet, as aforesaid, by the said Justices. And if any Inhabitant of any such towne, parish, village, or hamlet, shal obstinatly refuse and denie to pay the said taration and assessement so by the said Constables, Constable, Headboroughs, or Headborough, tared and assessed: then it shall and may be lawfull to and for the said Constables and Headboroughes, and euerie of them within their seuerall limits and iurisdictions, to distraine all and euerie person and persons so refusing and denying, by his and their goods and chattels, and the same distresse to sell, and the money thereof comming to retaine to the vse aforesaid. And if the goods or chattels so distrained and sold, shalbe of more value then the said taration shall come vnto, then the residue of the said money ouer and aboue the said taration, shalbe deliuered vnto the said person or persons so distrained. 27. El. 13.

Distresse and sale thereof.

5 All and euerie the said Constables and Headboroughes, after that they haue within their seuerall limits and iurisdictions leuied & collected their said rates and summes of money so tared, shall within ten dayes after such collection, pay and deliuer the same ouer vnto the said Justices of peace, or one of them, to the vse and behoof of the said inhabitant or inhabitants, for whom such rate, taration, or assessement shalbe had or made, as aforesaid: Which money so paid, shall by the Justices or Justice, so receiuing the same, bee deliuered ouer (vpon request made) vnto the sayd inhabitant or inhabitants, to whose vse the same was collected. 27. Elizab. 13.

The Constables shall deliuer the contribute money to the Justices, and they to the parties.

6 And the like Taration, Assessement, leuying by distresse and payment, as aforesaid, shall bee had and done within euerie Hundred where default or negligence of pursuit and fresh suit shall bee, for and to the benefit of all and euerie Inhabitant or Inhabitants of the same Hundred, where such default shall bee, that shall at any time hereafter by vertue of this Act, haue any damages or money leuied of them, for, or to the paiment of the one moitie or halfe of the money recouered against the said Hundred, where any robberie shall bee hereafter committed. 27. Eliz. 13.

Leuying of contribution in the hundred where default of pursuit shal be.

7 Prouided, that where any robberie is or shall be hereafter committed by two or a great number of malefactors, and that it happen any one of the said offendors to be apprehended, by pursuit to be made, according to the said former mentioned Lawes and Statutes, or according to this present Act, that then, and in such case, no Hundred or Franchise shall in any wise incurre or fall into the penaltie, losse, or forfeiture, mentioned either in this present Act, or in any the said former Statutes, although the residue of the said malefactors shal happen to escape, and not to be apprehended: Any thing in this Statute or in the said former Stat. to the contrarie notwithstanding. 27. El. 13.

No penaltie where any of the offendors be apprehended

8 Prouided also, That no person or persons hereafter robbed, shall take any benefit by the vertue of any the said former Statutes to charge any Hundred, where any such robberie shall bee committed, except hee or they so robbed, shal commence his or their suit or action within one yeare next after such robberie is to bee committed. 27. El. 13.

The suit shal be commenced within a yeare after the robberie.

9 No Huy and Crie, or pursuit, hereafter to bee done or made by the Countrey or Inhabitants of any Hundred, shall bee allowed and taken to bee a lawfull Huy and Cry, or Pursuit, vpon or after any the said Felons, or offendors, except the same Huy and Crie, and Pursuit, bee done and made by Horsemen and Footemen: Any vsage or custome to the contrarie notwithstanding. 27. Elizab. 13.

The pursuit must be by horsemen and footmen.

10 No person or persons, that shall hereafter happen to bee robbed, shall haue or

Notice of the robberie to some dwelling neere where it was done.

maintaine any action, or take any benefit by vertue of the said two mentioned statutes, or either of them, except the said person or persons so robbed, shall with as much conuenient spæd as may be, giue notice and intelligence of the said felonie or robberie so committed, vnto some of the inhabitants of some Towne, Village, or Hamlet, neere vnto the place where any such robberie shalbe committed: Nor shall bring or haue any actiõ, vpõ or by vertue of any the stat. aforesaid, except he or they shall first within xx. dayes next before such action to be brought, be examined vpon his or their corporall othe, to be taken before some one J. of the P. of the Countie, where the robbery was committed, inhabiting within the said Hundred where the the robberie was cõmitted, or neere vnto the same, whether hee or they do know the parties that committed the said robberie, or any of them. And if vpon such examination it be confessed, that he or they do know the parties that committed the said robberie, or any of them, then he or they so confessing, shall before the said Action be commenced or brought, enter into sufficient bond by Recognisance before the said Justices, before whom the said examinatiõ is had, effectually to prosecute the same person and persons so knowne to haue committed the said robberie, by indictment, or otherwise, according to the due course of the Lawes of this Realme. 27. Elizab. 13.

The partie robbed examined before a Justice, and bound to prosecute the offendors.

A remedie for the inhabitãts of the hundred of Benhurst in the County of Wark.

11 The inhabitants of the Hundred of Beynerth, alias Benherst, within the Countie of Wark. shall and may to their owne proper vse, in the name of the clerke of the peace of the said County of Wark. recouer, haue, and leuie all such summes of money, costs, and damages, as hereafter shalbe recouered or leuied, of, or against them, by the aforesaid statutes, or any of them, against the inhabitants or resiants of euerie or any such Hundred, with the Franchises within the precincts thereof, wherein negligence, fault, or defect of such pursuit and freshsuit (as by the said stat. of 27. El. is appointed to be made) shall happen to be, after notice giuen, or Huy and Crie brought to the same inhabitants or resiants, or any of them, of, or vpon any robberie, which shalbe at any time hereafter done, within the said Hundred of Beynerthe: And this present Act shall giue as full power and authoritie in all respects to the inhabitants of the said Hundred of Beynerthe, alias Benherst (in the name of the Clerke of the peace of the said Countie) for recouery, hauing, and leuying of all the said money, costs, and damages, as aforesaid, as the aforesaid statute of 27. Eliz. gaue or intended to giue for the recouerie of a moitie, or one halfe thereof. 39. Eliz. 25.

In what cases onely the recouerie shall be had.

12 Prouided alwayes, That no such remedie or recouerie shall bee had by this Statute, for all, or the whole summe or summes of money, and damages, as aforesaid, but only in these two cases, viz. The one, where no such notice or intelligence (as by the said Statute of 27. El. was appointed to be giuen of euerie or any robberie) shalbe giuen to the inhabitants of the said Hundred of Beynerthe: The other, where the inhabitants of the same Hundred (after such notice of any robberie, to them, or some of them giuen, or after Huy and Crie for the same to them brought) shall make or cause to be made fresh suit and pursuit after the offendors, with horsmen and footmen, according to the said Statute of 27. El. And where neuertheleſſe the offendors, or any, or one of them, shall not be apprehended within fortie dayes after the robberie committed. 39. El. 25.

1 Huy and Crie shalbe leuied and pursued against him which will not obey the watch in the night. S. Watch 1.

Hunters, Hunting.

IF any Artificer, Labourer, or other Lay man, which hath not lands or tenements, to the value of xl. shillings by the yeare, or if any Priest or Clerke which hath

hath not liuing to the value of x.ℓ. by the yeare, will haue or kéep any Grayhound, Hound, or other Dogge for to hunt, or wil vſe Ferrets, Hayes, Nets, Harepipes, Cords, or other Engines, for to take or deſtroy Deare, Hares, Conies, or other Gentlemens games, he ſhalbe impriſoned by the ſpace of one whole yeare. 13.R.2. 13. S. Iuſt. of P. 36.

None ſhall kéepe but which hath ſufficient liuing.

2 If any perſon hauing no Parke, Chaſe, or Foreſt of his owne, doth kéepe or cauſe to be kept any Nets, called Déere hayes, or Buckſtals, he ſhall forfeit for euerie moneth that hée kéepeth the ſame, tenne pounds, to any perſon that will ſue for the ſame by Action of Debt, wherein no Wa. &c. E. P. &c. 19.H.7.11. S. Foreſts &c. 10.

Buckſtals.

3 Whoſoeuer doth ſtalke, or cauſe any other perſon to ſtalke with any Buſh or beaſt, to any Déere, being in any Parke, Chaſe, Foreſt, or without (but in his owne ground, Foreſt, Chaſe, or Parke) without licence of the owner, maſter of the game, or kéeper of the ſame ground, Foreſt, Chaſe, or Parke, ſhall forfeit for euerie time that he or they ſtalketh, x.ℓ. to any perſon that will ſue for the ſame by Action of Debt, wherein no Wa. &c. E. P. &c. 19.H.7.11. S. Iuſtices of Peace 35. S. Foreſts.

Stalking.

4 At euerie ſuch time as information ſhall be made of any vnlawfull hunting by night, or with painted faces to be done, to any of the Kings Counſel, or to any of the Juſtices of peace of the Countie where any ſuch hunting ſhall be had, of any perſon to be ſuſpected thereof: It ſhall bée lawfull to any of the ſame Counſell or Juſtices of P. to whom any ſuch information ſhalbe made, to make a warrant to the Sherif of any ſuch Countie, or to any Conſtable, Bailif, or other Officer within the ſame Countie, to take and arreſt the ſame perſon or perſons of whom any ſuch information ſhall bee made, and to haue him or them before the maker of the ſame Warrant, or any other of the Kings ſaid Counſell, or Juſtices of his peace of the Countie. And the ſaid Counſello or Juſtice of peace, before whom ſuch perſon or perſons ſhalbe brought, by his diſcretion haue power to examine him or them ſo brought, of the ſaid hunting, and of the ſaid doers in that behalfe. And if the ſaid perſon wilfully conceale the ſaid huntings, or any perſon defectiue with him therein, then the ſaid concealement bée, againſt euerie perſon ſo concealing, felonie. And the ſame felonie to bée inquired of and determined as other felonies within the Realme haue vſed to bée. And if hée then confeſſe the truth, and all that hee ſhall bée examined of and knoweth in that behalfe, then the ſame offences of hunting by him done, bée againſt the King but treſpaſſe finable, by reaſon of the ſame confeſſion, at the next generall Seſſions of the Peace to bée holden in the ſame Countie by the Kings Juſtices of the ſame Seſſions there to bée ſeſſed. And if any reſcous or diſobedience bée made to any perſon hauing authoritie to doe execution or Juſtice by any ſuch Warrant, by any perſon the which ſo ſhould bée arreſted, ſo that execution of the ſame Warrant thereby bée not had, then the ſame reſcous and diſobedience bée felonie, inquirable and determinable as is aforeſaid. And if any perſon or perſons hereafter bée conuicted of any ſuch Huntings with painted faces, viſors, or otherwiſe diſguiſed, to the intent they ſhould not bée knowne, or of vnlawfull hunting in time of night, then the ſame perſon or perſons ſo conuicted, haue like puniſhment as he or they ſhould haue, if hée or they were conuicted of felonie. 1.H.7.7.

1 No perſon ſhall hunt where any eared or codded corne ſhall bee ſtanding. S. Feſants 4.

Husbandrie and Tillage.

Hoſpitalitie & husbandry in Scites of monaſteries.

All perſons to whom K. Henry the eight, or any of his heirs or ſucceſſors heretofore ſithence 4. die Februarij, An. 27. of his raigne, haue giuen, graunted, let.

letten, or demised, or hereafter shall giue, grant, let, or demise any scite or precinct, with the houses thereupon builded, together with the demeanes of any Monasteries, Priories, or other religious houses, that were dissolued or giuen to the said K. by the Act made Anno 27. H.8. (viz. such as had not in lands, tenements, and hereditaments, aboue the cleere yearely value of two hundred pounds) and the heirs, successors, and assignes, of euerie such person, are bound to keep, or cause to be kept an honest continuall house and household, in the same Scite or Precinct, and to occupie yearely as much of the demeanes in plowing and tilling of Husbandrie, as then were commonly vsed to be kept in Tillage, by the Gouernors, Abbots, or Priors of the same houses, monasteries, priories, or bytheir farmer or farmers, occupying the same, within twentie yeres next before the same statute, vpon pain to forfeit to the K. for euery moneth offending to the contrarie, fiue pounds thirteene shillings foure pence, to be recouered to his vse, in any of his Courts of record. 27. H.8. in a Stat. not imprinted. 5. El. 2. 35. El. 7. S. 35. El. 7. & 39. El 1. & Q whether they or either of them doe take away the force of the foresaid Statute of 27. H. 8. Touching the keeping of the demeanes of the late Abbeies &c. in Tillage, or not. S. Iust. of P. 43.

Which shalbe called an house of husbandrie.

2 Euerie house that now (viz. 24. die Octobris, Anno 39. Reginæ Elizabethæ) hath or heretofore had twentie acres of arable land, medow, and pasture, or more thereunto belonging, and so occupied or letten to farme, by the space of three yeares together, at any time since the beginning of the Quenes raigne that now is, and which is not or hath not beene the castle or dwelling house of any Nobleman or Gentleman, nor the chiefe Mansion house of any Manor, is, and shall be adiudged a house of Husbandrie for euer: And all acres spoken of in this Statute, shalbe adiudged acres, according to the statute or ordinance De terris mensurandis. 39. Eliz. 1.

Weights &c. 5.

Decay of houses of husbandry since the beginning of the Q. raigne, and before 7. yeares.

3 If any person or persons, bodies Politique or Corporat, at any time since the beginning of her said Maiesties raigne, and before seuen yeres now last past, haue decayed or wasted, or willingly suffered to bee decayed or wasted, any such houses of Husbandrie: in euerie such case the offendor in that behalfe shall erect, build, or repaire, vpon some conuenient part of the Scites, where the decayes were, or bern, or of the lands, to such houses heretofore belonging, the one half in number of such houses so decayed or wasted, if the offendor now hath, or hereafter by the expiration, surrender, forfeiture, or other determination of such Leases or Estates, as now are in Esse, shall or may haue in his or their owne vse, or occupation, so much of the lands, which belonged to the same houses, or any of them, as will suffice to lay thereof fortie acres of arable land, medow, and pasture, to euerie of the same houses, so to be erected, builded, or repaired: And shall then also put to euery of the same houses, fortie acres of the same lands at the least, being arable land, medow and pasture conuenient and fit to bee vsed and occupied with the same houses. And if the offendor now hath not, nor hereafter by the expiration, surrender, forfeiture or determination, of any such Leases or Estates, as are now in Esse, shall not, or may not haue so much of the said lands, then the offendors to erect, build, or repair so many of the same houses, before by this Act intended to bee erected, builded, or repaired, as the same offendor can of the same lands, then in his or their own vse and occupation, put thereunto fortie acres of arable Land, Medow, and Pasture, and in such case also the same offendor shall put to euerie such house so erected, builded, or repaired, fortie acres of the same land at the least, being arable Land, Medow, or Pasture, which shall bee fit and conuenient to bee vsed and occupied with the same. 39. El. 1.

The one halfe of the houses decayed, shalbe erected.

Fortie Acres of land laid to euery house.

If the offendor haue not the lands in his hands.

4 And if any the same decayed Houses and Scites, and the lands thereunto heretofore belonging, or any part thereof, bee in, or doe come to the possession or

hands

hands, as aforesaid, of any as heire, executor, administrator, or successor to the offendor, or otherwise, as assignee, by the immediate and free gift of the offendor, as aforesaid, in every such case, such heire, executor, administrator, successor, or assignee, vpon the Scites or some other conuenient part of the same lands so growne or come vnto him or them: And for and in respect of so much of the same lands, as is not before satisfied, by erecting, building, or repairing of houses of husbandrie, and supplying the same with lands, according to the true intent of this Act in that behalfe, shall erect, build, or repaire such and so many houses of husbandrie in such manner and with like addition of lands thereunto, as the offendor proportionably should haue done in the like case by the true meaning of this Act. 39. El. 1.

The heire, executor, administrator, successor, or assignee of the offendor.

5 And if any of the same waskings or decayings haue happened within seauen yeares now last past, the offendors in that behalfe hauing now, or which hereafter by the expiration, surrender, forfeiture, or other determination of such Leases or Estates as are now in Esse, shall or may haue in his or their owne vse or occupation, so much of the same scite or lands which belonged to the same house so decayed or wasted, or any of them, as can supply euery of the same houses, which before had belonging vnto it vnder xl. acres, with twentie acres of arable land, meadow, and pasture: and euery such of the same houses, which before had fourtie acres or aboue belonging vnto it, with fourtie acres of arable land, meadow, and pasture, shall erect, build, or repaire, vpon some conuenient part of the scites or lands that belonged to the same houses, or any of them, the whole number of the houses so decaied or wasted: And for euery such of the same houses of Husbandrie, as heretofore had vnder fourtie acres of arable land, meadow, and pasture belonging vnto it, shall put to the houses of Husbandrie so to be erected, builded, or repaired of the lands, which such offendor hath or shall haue, as aforesaid, twentie acres at the least of arable land, meadow, and pasture, fit and conuenient to be vsed and occupied therewith: And for euery such of the same houses of Husbandrie so wasted or decayed, as aforesaid, as had belonging to it fourty acres of arable land, meadow, and pasture, or more, shall put to euery of the same houses, so to be erected, builded, or repaired of the same lands which such offendor hath, or shall haue, as aforesaid, fourtie acres at the least of arable land, meadow, and pasture, fit and conuenient to be vsed and occupied therewith. And if the same offendor haue not, or shall not haue, as aforesaid, so much of the lands belonging to any of the same houses, as may therewith performe that which is aforesaid, then the same offendor shall erect, build, or repaire so many onely of the same houses of Husbandrie as hee can, with the same lands, in the vse and occupation, as aforesaid, of such offendor, supply the same houses with such quantitie of arable land, meadow, and pasture, as before in this article is mentioned to be put to the same, and shall put to euery of the same houses of the same arable land, meadow, and pasture accordingly. Anno 39. El. 1.

Decaies of houses of husbandrie within seuen yeares now last past.

The whole number of houses decaied.

6 And if the same decaied or wasted Scites, or Houses and Lands thereunto heretofore belonging, or any part thereof, be in, or doe come to the possession or occupation, as aforesaid, of any, as Heire, Executor, Administrator, or Successor to the said offendor last before mentioned, or otherwise as Assignee, by the immediate and free gift of the same offendor, in euery such case, such heire, executor, administrator, successor, or assignee, vpon some conuenient part of the same Scite or lands, so growne or come vnto him or them: And for and in respect of so much of the same scite and lands, as is not before satisfied, by erecting, building, or repairing of houses of Husbandrie, and supplying the same with lands, according to the true intent of this Act in that behalfe, shall erect, build, or repaire such and so many houses of husbandrie, and with like addition of lands thereunto, as the offendor proportionably should haue done in like case by the true meaning of this Act. 39. Elizabeth. 1.

The heire, executor, administrator, successor, or assignee of the offendor.

7 All

Purchalers.

7 All ſuch as haue or ſhall haue any the houſes of huſbandrie decaied or waſted, as is aforeſaid, at any time ſince the beginning of her ſaid Maieſties raigne, or the lands thereunto belonging, or any part thereof, by, from, or vnder the offendor, for money, or other conſideration, or otherwiſe by any other title than vnder the offendor: in euery ſuch caſe, ſuch ſo hauing ſuch ſites or houſes ſo decaied or waſted, as aforeſaid, and the lands which did thereunto belong, or any part thereof, and not before that erected, builded, or repaired with houſes of huſbandrie, and ſupplied with lands, according to the true meaning of this Act, ſhal for and in reſpect of the lands, which he or they ſo haue, proportionably erect, redifie, and repaire onely the fourth part in number of the like houſes of huſbandrie, and with ſuch and the like quantitie of the ſame lands to be added to euery of the ſame houſes of huſbandry, as is before mentioned for the offendor, to doe and performe in like caſes of decaies, made within 7. yeares now laſt paſt. 39. El. 1.

The 4. part.

Within what time the building, erection, or repaire of houſes ſhall be made.

8 Euery perſon, bodie politique and corporat, that is to make any erection, building, or repairing of houſes, as is aforeſaid, ſhall performe two of the ſame erections, buildings, or repairings, before the Feaſt of Pentecoſt, in the yeare of our Lord God 1599. if ſo many be to be done by ſuch partie, if not, then one where but one is to be done: And who is to performe more than two, ſhall thenceforth yearely performe two other of the ſame, vntill all ſuch erections, redifyings, and repairings be fully performed, which that partie is to doe and performe by the true intent of this Act: And as the ſame houſes ſhall from time to time be erected, builded, or repaired, the lands, as is aforeſaid, ſhall be put thereunto, and for ſuch houſes as are now ſtanding, the lands in manner, as is aforeſaid, ſhall be put thereunto, before ỹ ſaid feaſt of Pentecoſt, in the yeare aforeſaid. 39. El. 1.

The lands ſhall be put to the houſes.

Houſes of huſbandrie ſhalbe kept in repaire

9 All houſes of huſbandrie, which are to be erected, builded, or repaired, by the true intent of this act, And all other houſes of huſbandrie now ſtanding ſhall from time to time for euer, by the occupiers and poſſeſſors therof be vpholden and maintained, in good and conuenient reparations, inhabitable and tenantable, and as houſes of huſbandrie in thoſe parts. And the lands therto to be put, or now belonging as aforeſaid, or as much in goodnes, quantitie, & qualitie, ſhalbe demiſed with ỹ houſe by the leſſor thereof, Whenſoeuer the ſame houſe ſhall be demiſed, without any willing default of the leſſor in that behalfe: And the ſame lands ſhall be vſed & continued in Tillage and Huſbandrie, according to the Statute in that behalfe. And where any in reaſon or good conſcience ought to haue contribution from any other towards the charges of any the erections, buildings, or repairings aforeſaid, In euery ſuch caſe vpon a bill to be exhibited into the high Court of Chancerie by ſuch partie againſt any decayer or other that ought to be contributorie to the ſame as aforeſaid, ſuch contribution ſhall be giuen, and in ſuch ſort leuied and paied, as by order of that Court ſhall in that behalfe bee ſet downe or taken. 39. El. 1.

Contribution recouered in the Chancery.

The ouerplus of xl. acres to ſupply of, or vnder xl. acres

10 Prouided alwaies neuertheleſſe, if any houſe of huſbandrie now ſtanding, hath or ſhall haue belonging to it, or letten therewith aboue the number of fourtie acres of arable land, meadow, or paſture in the whole, the ouerplus thereof may from time to time bee added to ſupply or make vp any other houſe, to bee a houſe of huſbandrie of or vnder fourtie acres. 39. El. 1.

Exchanges.

11 And for the more better and commodious occupying or huſbandrie of any the lands, meadowes, or paſtures, which ſhall be allotted or belonging to any houſe of huſbandrie, as aforeſaid, it ſhall be lawfull for any Lord to make exchange with any his tenants, or any tenant or other perſon with ỹ aſſent of the Lord, to change the one with the other, without incurring any the penalties of this ſtatute, any thing in this Act to the contrarie notwithſtanding. 39. El. 1.

A new houſe builded in ſtead of the old decaied.

12 Prouided alſo, that if any perſon hath erected, or hereafter ſhall erect, any new like houſe of huſbandrie, where no houſe of huſbandrie was at any time ſince

the

the beginning of her Maiesties raigne, with like lands allotted, or to bee allotted thereunto as aforesaid, and as conuenient, in lieu or place of any house of husbandrie heretofore decaied, or hereafter to be decaied, and within two miles thereof: That in euery such case such house so decaied, or to be decayed, is not, nor shall not be repaired, redified, or continued, by the true intent of this act, so alwaies that the same house newly erected, or to be erected, be continued a like house of husbandrie, as aforesaid for euer. 39. El. 1.

13 If any person or persons, which hath built any mansion house fit for the dwelling of a Gentleman, or any person of a higher degree, hath taken into his hands any lands not exceeding the quantitie of fiue score acres, or houses not exceeding the number of two houses, conuenient and needfull to bee imployed for maintaining of necessarie hospitalitie, & house keeping in that house, such person for such taking into his hands, or decaying of such lands or houses shal not be deemed or taken for an offendor by this stat. 39. El. 1.

A gentleman taking into his hands land not exceeding 120. acres

14 Prouided also, that this Act, or any thing therein contained, shal not extend to any Parke, or inclosed ground for Deere, or any lands or houses therein, ỳ same being at this present chiefly stored with, or imployed to deere. 39. El. 1.

This statute doth extend to no park or inclosed ground for Deere.

15 Prouided also, that this Act, or any thing therein contained, shall not bee preiudicial to any being out of this realm, or Infant, or of Non sanæ memoriæ, which before by this Act ought to redifie, erect, or repaire any house, or houses of husbandrie, so that euery such person shall yearely next after his returne, full age, or being of Sanæ memoriæ, performe therein the intents of this Act. 39. El. 1.

They which be out of the Realme, Infants, or of Non sanæ memoriæ.

16 Euery person and persons, bodies politique, and corporat, which shal offend in any the premisses, shall for euery house that shal not be erected, builded, repaired, continued, or maintained in necessarie reparations, tenantable, according to the true meaning of this act, by the space of one yeare, forfeit x. l. and so yearely x. l. vntill the same shall be sufficiently erected, builded, continued, or repaired. And for euery acre of land, meadow, or pasture, which shall not be laied vnto, or let with such houses of husbandrie, when the same shall be demised as aforesaid, shal forfeit for euery yeare he or they shall so offend, the summe of x. s. as long and as often as such acre shal not in those respects be vsed, and ordered according to the intent of this act: Which forfeitures shall be diuided into three equall parts, whereof one third part to be to the Qu. Maiestie, her heires and successors, one other part to be to the vse of the poore within the parish where the offence shall be committed, to be deliuered by the order of the Court, in which the same shall be recouered, to the Churchwardens of the same parish without any charge or other warrant, and the other part to such as will sue for the same, in any Court of Record at Westminster, by A. B. P. or I. if any such will sue, if not, to the Qu. Maiestie, her heires, and successors, in which suit, no E. P. W. &c. 39. El. 1.

The forf. of offendors.

17 Prouided also, that no offendor shall be impeached or sued by vertue of this Act, except such suit shall be brought and commenced within two yeares of ỳ same offence committed or done, being prosecuted by any, for himselfe and her Maiestie, her heires or successors: but in case where the said suit shall be brought or prosecuted for her Maiestie, her heires or successors onely, then such suit to be brought and commenced within three yeares of the same offence done and committed. 39. El. 1. 1. Iac. 25. This Act to endure but to the end of the first Session of the next Parliament. S. Iust of P. 44.

within what time the offendor shalbe sued

18 Whereas any lands or grounds at any times, since the 17. of Nouember, Anno primo Elizab. haue bene conuerted to sheepe pastures, or to the fatting or grazing of Cattell, the same lands hauing bene tillable lands, fields, or grounds, such as haue bene vsed in tillage, or for tillage, by the space of twelue yeares together at the least, next before such conuersion, according to the nature of the soyle

Pasture to be conuerted into tillage.

and

and course of husbandrie vsed in that part of the countrey, all such lands, and grounds, as aforesaid, shall before the first day of May, which shall be in the yeare of our Lord God 1599. be restored to tillage, or laid for tillage in such sort, as the whole ground, according to the nature of that soile, and course of husbandrie vsed in that part of the countrey, bée within three yeares at the least, turned to tillage, by the occupiers and possessors thereof, and so shall be continued for euer. 39. Elizabeth. 2.

Land shalbe restored to tillage before 1. Maii Anno Dom. 1599.

19 All lands and grounds which now are vsed in tillage or for tillage, hauing béene tillable lands, fields, or grounds, such as next before the first day of this present Parliament, haue béene by the space of twelue yeares together at the least, vsed in Tillage, or for Tillage, according to the nature of the soyle, and course of husbandrie vsed in that part of the countrey, shall not be conuerted to any shéepe pasture, or to the grazing or fatting of cattell, by the occupiers or possessors thereof, but shall according to the nature of that soyle, and course of husbandrie vsed in that part of the countrey, continue to be vsed in tillage, or for tillage, for corne or graine, and not for woad. 39. El. 2.

Arrable land shal not be put to pasture or woad.

20 Prouided neuertheless, that if any person or bodie politique or corporate, hath since the 17. of November aforesaid laied, or hereafter shall lay any ground to graze, or hath vsed or shall vse the same ground with shéepe, or any other cattell, which ground hath béene or shall bée driuen or worne out with tillage, onely vpon good husbandrie, and with intent, bona fide, without fraud or couin, the same ground should recouer heart and strength, and not with intent to continue ẏ same otherwise in shéepe pasture, or for fatting or grazing of cattell, that no such person, or body politique or corporate, shall be intended for that ground a conuerter within the meaning of this law. 39. El. 2.

Land worne out with tillage laid to grazing for a time.

21 Prouided also, that if any such occupier or possessor of ground, as aforesaid hath broken vp, conuerted, or laid forth, or shall breake vp, conuert, or lay forth into tillage, any other ground not liable to this present law, as aforesaid, and lying within the same parish, Towne, Hamlet, or Lordship, or within two miles of the same land formerly tilled, that for such quantitie onely, and for so long time as he hath so done or continued, or shall so doe or continue, he shall not incurre any penaltie contained in this Act, but that it shall be lawfull for any such occupier or possessor, at his libertie and pleasure, and according to his best commoditie and husbandrie, to change and alter from time to time such ground put, or to be put in tillage, so that euery such occupier doe kéepe the summe or totall of the quantitie or proportion of his grounds lying within the same parish, towne, hamlet, or Lordship, or within two miles of the same land formerly tilled, in tillage, as aforesaid. 39. Elizab. 2.

Putting of other ground into tillage in steed of that which is conuerted into pasture.

22 Prouided also, that this act shall not extend to any ground that any person, body politique or corporate hath turned or shall turne from tillage to pasture, for the only maintenance and kéeping of his or their own horses, geldings, mares, or draught oxen, or the horses, geldings, or mares, of his or their owne familie, or others comming to his or their house, or for the maintenance or keeping of kine, sheepe, or other cattell, for the onely victuals to be spent in his or their houses, or for the necessarie soyling of his or their tillable lands. Prouided neuertheless, that no persons that shall commonly feed and sell yearely Beeues, and Muttons, to a greater number than he or they shall yearely spend in victuall in his or their mansion house or houses, and more than shall grow or bee needfull to be culled out, or in respect of the necessarie stockes for maintenance of house keeping, and soiling the tillable lands, as aforesaid, or that shall be a common fatter of Beeues or Muttons, or any of them, as a common Grasier or Sheepemaster, to be commonly sold in Markets and Faires, or to the common Butchers, other than in respect of the

For what purposes tillage may be conuerted into pasture.

Feeders and sellers of béeues and muttons.

necessa-

neceſſarie ſtockes aforeſaid, ſhall be taken, erpounded, or vnderſtood to be ſuch perſon or perſons, bodies politique or corporate, as by this prouiſo laſt aboue mentioned, may kæpe any ground or paſture whole and not conuerted into tillage for the maintenance and kæping of kine, ſhæpe, or other cattell for the onely victuall to bæ ſpent in their owne houſes, or for the nædfull ſeiling of their tillable lands, but bin and ſhall be excepted out of the ſame prouiſo, Any thing in the ſaid Prouiſo contained to the contrarie notwithſtanding. 39. Eliz. 2.

23 Whereas it is mentioned, that this Act, or any thing therein contained, ſhal not extend to be preiudiciall to any perſon or perſons, bodies politique or corporat, for the kæping of any ground in paſture, for the onely maintenance and kæping of his or their horſes, mares, geldings, or draught oxen, or for the maintenance and kæping of kine, and other cattell, for the onely prouiſion and victualling of his or their manſion or dwelling houſe or houſes: if it ſhall fortune any ſuch perſon or perſons to bæ abſent, and not reſident at or vpon his or their vſuall manſion, or dwelling houſe or houſes, with his familie or houſhold, for and by occaſion of ſeruice, or attendance to be done by any ſuch perſon or perſons, by the erpreſſe commandemẽt of the Q. her heires, or ſucceſſors, within the Realme, or without, or elſe hauing ij. or iij. manſion or dwelling houſes, ſhall be reſident and dwelling with his familie, but at one of them, or ſhal be within age, That then during, and for the time of ſuch ſeruice, attendance, minoritie, and abſence, and one yeare next after, or during, and for the time that he or they ſhall be reſident or dwelling with his familie, but at or vpon one of his dwelling houſes, hæ or they ſhall and may kæpe ſuch grounds in paſture, belonging or vſually occupied, with any of the ſaid two or thræ houſes, and with no more, or others in his or their owne hands, or occupation, or let it out to any other perſon or perſons, without incurring of any danger or forfeiture by vertue of this Act, So that the ſame perſon or perſons, ſhall and do kæp the ſame manſion and dwelling houſe or houſes vnletten in good ſufficient reparations, and mæt and conuenient for him or them to repaire, and reſort vnto at all times, for his and their dwelling and abode, Any thing in this act to the contrarie thereof in any wiſe notwithſtanding. 39. El. 2.

They which conuert tillage into paſture, be not for ſome cauſes reſident at their houſes.

24 If any perſon, or bodie politique, or corporate, ſhall offend againſt the præmiſſes, euery ſuch perſon or bodie politique or corporate, ſo offending, ſhal loſe and forfeit for euery acre not reſtored or not continued, as is aforeſaid, the ſumme of xx. s. for euery yeare that he or they ſo offend. And the ſaid penalties or forfeitures ſhal bæ diuided in thræ equall parts, whereof one third part to be to the Q. her heires, and ſucceſſors, to her and their owne vſe, one other third part to the Q. her heires, and ſucceſſors, for the releiſe of the poore in the pariſh where the offence ſhalbe committed, if any ſuch be, to be deliuered by warrant of the principall officers in the receipt of the Exchequer, without further warrant from her Maieſtie, her heires and ſucceſſors, and the other third part to ſuch perſon as will ſue for the ſame in any Court of Record at Weſtminſter, by A. B. P. I. in which ſuit no E. P. W. &c. 39. Elizab. 2.

The fort. of xx. s. an acre of land conuerted from tillage to paſture

25 The Juſtices of Aſſiſe, or Juſtices of peace in euery Countie within this Realme at the Aſſiſes or quarter or generall Seſſions, ſhall haue full power and authoritie by vertue of this Act, to enquire, heare, and determine all and euery the defaults and offences committed or done contrarie to this Act, within the Countie where any ſuch Aſſiſes or Seſſions ſhall be kept, by Inquiſition, Preſentment, Indictment, Bill, or Information, or by any of the ſame waies or meanes, and vpon the conuiction of the offendor by information or ſuite of any other than her Maieſtie, her heires or ſucceſſors, to make extracts of one third part of the forfeitures, to be leuied, for the Q. her heires and ſucceſſors, as they vſe to doe of other fines, iſſues, and amerciaments, growne in the Seſſions of Peace, and to award execution

Juſt. of Aſſiſe & the peace, may enquire of the offences

execution of the two other third parts, the one for the complainant or informer, and the other to the poore, by the discretion of the Iustices of Peace at the generall Sessions against the offendor by Fieri facias and Capias, as her Maiesties Iustices at West. may doe and vse to doe: And if any such conuiction shall hereafter happen to be at her Maiesties suit onely, then the forfeitures to be extracted and leuied for her Maiestie, her heires and successors, to the vses aforesaid. 39. Elizab. 2. S. Iustices of Peace 44.

None shalbe punished but once for one offence.

26 If any person shall hereafter be punished, by vertue of this Act, for any thing mentioned in this Act, then the same person shall not otherwise be vexed, troubled, sued, or put to any paine or punishment for the thing wherefore he or they shal haue beene so punished. Prouided that no offendors shall be impeached or sued by vertue of this Act, except such suit shall be brought and commenced within two yeares of the said offence committed or done, In case where the said suit shall be brought and prosecuted in the name of any Informer, And in case the same suit shall be brought & prosecuted in her M. name, or in the name of her heirs or successors, then such suit to be brought & commenced within three yeares of the offence done and committed. 39. El. 2.

Within what time the offendors shall be sued.

Conuersion of land into tillage, shal be no breach of couenant &c.

27 Prouided also, that no land compellable to be put in Tillage by vertue of this Act, shall be deemed or adiudged a breach or forfeit of any couenant, bond, or condition, betweene any persons whatsoeuer. Neither that any person that shall be cõpelled to put any lands into tillage by vertue of this Acte, shall therefore incurre any penaltie or preiudice collaterall, or other, whether it bee of augmentation of rent, giuing of any recompence or consideration, or the like, but shall bee in law discharged of euery such limitation, couenant, condition, or agreement. 39. Elizabeth. 2.

To what ground this stat. doth not extend.

28 Prouided neuertheleſſe, that this Act shall not extend to any pasture, heath, downes, wast, or barren ground, which hath not heretofore bin commonly vsed to be eared or tilled for corne, And which is not meet and strong enough to bee continued still in tillage, according to the nature of the soile, and custome of the Countrey, Nor to any Commons, Fennes, Moores, Mosses, nor to any Marshes being vsually ouerflowne with water, at any time of the yeare, Nor to any Marshes or grounds recouered and inned, and which are or shall be so kept and continued by charge of bankes, Nor to any Parke or Parks, Warren or Warrens, Nor to any inclosed grounds now vsed with Deare, or Conies, or which hereafter by licence from her Maiestie, her heires or successors, with sufficient clause of dispensation, mentioning this Act, shall be principally bestowed and imployed to the maintenãce of Deare, and Conies, without fraud or couin, nor to any meadowes, nor to any wood grounds, nor to any orchard, garden, pole, or pondyard, nor to any grounds set or sowen with saffron, hoppes, garlicke, onyons, or other such garden rootes, meet for victuall, Nor to any plot, or soile, whereupon any house or tenement inhabitable is erected, and the curtilages, yardes, and backesides thereof, Nor to any ground occupied or let with any tenement, being vnder the quantitie of twentie acres, as long as such tenement shall be continued not decaied, Nor to any groũds wherein any Dare, Lead, Tinne, Pyon, Cole, commonly called Sea Cole, Stone Cole, or Moore Cole, is commonly got: All which to bee intended during such time onely, as all and euery the grounds aforesaid, shall bee vsed, or put to the vses and intents aboue specified, Any thing in this Act to the contrarie notwithstanding. 39. El. 2.

But x. acres for a warren and within a mile of the owners house.

29 Prouided alwaies, that this last prouiso shall not giue any benefit, aduantage, or libertie to any person or persons, which haue conuerted or imployed, or hereafter shall conuert or imploy, any more ground to the keeping of Conies, not being lawfull Warren, then tenne acres at the most, and the same to bee within

within one mile of his dwelling house. 39. Eliz. 2.

30 Prouided also, that this Act shall not extend to any Counties within this Realme of England, but such onely as shall be hereafter specified, that is to say, the Counties of Northampton, Leicester, Warwicke, Buckingham, Bedford, Dr-ford, Barkshire, the Isle of Wight, Gloucester, Worcester, Nottingham, Hampshire, Wiltshire, Somerset, Dorset, Darbie, Rutland, Lincolne, Hereford, Cambridge, Huntington, Yorke, Pembroke in Southwales, and the Bishoprieke of Durham, the Counties of all Cities and Corporations, lying, scituat, and being within the Counties aforesaid, or confining to the same, and the Ayrshire of the coũtie of the citie of Yorke. 39. El. 2. Prouided alwaies, that the said Acte, for the maintaining of husbandrie and tillage, shall not extend to any lands lying within the Countie of Northumberland, 43. El. 9. 1. Iac. 25. To what Counties only this statute doth extend.

31 Prouided alwaies, that neither this Act, nor any thing therein contained, shall extend to any ground now conuerted from tillage to meadow or pasture, lying within two miles of the great road way, called Watling street, leading frõ the Towne of Dunstable in the Countie of Bedford, towards Westchester, So that the same ground be not aboue fiue miles from the parish Church of Dunstable, nor within two miles therof. 39. El. 2. 1. Iac. 25. This act to endure to the end of the first Session of the nert Parliament. S. Iust. of P. 44.

1 In what case an husbandman may haue an Apprentice. S. Labourers 15.

Ieofaile.

IF any issue be tried by the oath of twelue or more indifferent men for the partie plaintife or demandant, or for the tenant or defendant, in any action or suit at the Common Law of this Realme, or in any of the Kings Courts of Record, then the Iustice and Iustices by whom Iudgement thereof ought to be giuen, shal proceede and giue Iudgement in the same, any mispleading, lacke of colour, insufficient pleading, or Ieofaile, any miscõtinuance or discontinuance, any misconueying of proces, mistoyning of the issue, lack of warrant of Atturney for the party against whom the same issue shall happen to be tried, or any other default or negligence of any of the parties, their Counsailors or Atturneyes, had or made to the contrary notwithstanding. And the said Iudgements thereof so to be had and giuen, shall stand in full force to all intents, according to the said verdict, without any reuersal, or vndoing of the same, by Writ of Error, or of false Iudgement, in like forme, as though no such default or negligence had neuer bin had or committed. 32. H. 8. 30. 2. Ed. 6. 32. After issue tried there shalbe Iudgement,

2 If any verdict of twelue men or more shall be giuen in any action, suit, bill, plaint, or demand in any Court of Record, the iudgement thereupon shall not be staied or reuersed, by reason of any default or lacke of forme, touching false Latine, or variance from the Register, or other defaults in forme, in any writ originall, or iudiciall, count, declaration, plaint, bill, suit, or demand, or for want of any writ originall, or iudiciall, or by reason of any imperfect, or insufficient returne of any shirife, or other officer, or for want of any warrant of atturney, or by reason of any manner of default in proces vpon or after any Aid prier, or Voucher. Nor any such Record nor iudgement after verdict giuen shall be reuersed for any of the defects or causes aforesaid, any law, statute, or vsage, &c. notwithstanding. But this Act shall not extend to any writ, declaration, or suit of appeale of felonie, or murder, nor to any indictment or presentment of felonie, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, bill, action, or information, vpon any popular or penall statute. 18. Eliz. 13. No stay of iudgement for lacke of forme.

Ieſuits, Prieſts, Seminaries.

All Ieſuits and Prieſts ſhall depart out of the Realme.

ALl and euery Ieſuits, Seminarie Prieſts, and other Prieſts whatſoeuer, made, or ordained out of the Realme of England, or other the Qu. dominions, or within any of her realmes or dominions, by any authoritie, power, or iuriſdiction, deriued, challenged, or pretended from the Sea of Rome (ſince the feaſt of the Natiuitie of S. Iohn Bapt. Ann. 1. Eliz.) ſhall within xl. daies next after the end of this Seſſion of Parliament, depart out of this Realme of England, and out of all other her highneſſe realmes and dominions, if the wind, weather, and paſſage ſhall ſerue for the ſame, or elſe ſo ſone after the end of the ſaid xl. daies, as the wind, weather, and paſſage ſhall ſo ſerue. 27. El. 2.

No Ieſuit or Prieſt ſhall come into, or remaine within this realme.

2 It ſhall not be lawfull, to, or for any Ieſuit, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon whatſoeuer, beeing borne within this Realme, or any other the Qu. dominions, and heretofore (ſince the ſaid feaſt of the Natiuitie of S. Iohn Bapt. Anno 1. Eliz.) made, or ordained, or profeſſed, or hereafter to be made, or ordained, or profeſſed by any authoritie or iuriſdiction, deriued, challenged, or pretended from the Sea of Rome, by, or of what name, title, or degree ſoeuer the ſame ſhall be called or knowne, to come into, be, or remaine in any part of this Realme, or any other her highneſſe dominions, other than in ſuch ſpeciall caſes, and vpon ſuch ſpeciall occaſions onely, and for ſuch time onely, as is expreſſed in this Act: And if he doe, then euery ſuch offence ſhall be taken and adiudged to be high Treaſon. And euery perſon ſo offending, ſhall for his offence be adiudged a Traitor, and ſhall ſuffer, loſe, and forfeit, as in caſe of high Treaſon. 27. Eliz. 2.

Receiuing or relieuing a Ieſuit or Prieſt.

3 Euery perſon which ſhall wittingly and willingly receiue, relieue, comfort, aide, or maintaine any ſuch Ieſuit, Seminarie Prieſt, or other Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſaid, beeing at libertie, or out of hold, knowing him to be a Ieſuit, Seminary Prieſt, or other ſuch Prieſt, Deacon, or religious or eccleſiaſticall perſon, as is aforeſaid, ſhal alſo for ſuch offence be adiudged a Felon, without benefit of Clergie, and ſuffer death, loſe, and forfeit, as in caſe of one attainted of felonie. 27. El. 2.

They which be in Seminaries ſhall after Proclamation return and take the oath.

4 If any of her Maieſties ſubiects (not beeing a Ieſuit, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or religious or Eccleſiaſticall perſon, as is before mentioned) now beeing, or which hereafter ſhall be of, or brought vp in any Colledge of Ieſuits, or Seminarie, alreadie erected, or ordained, or hereafter to be erected or ordained in the parts beyond the Seas, or out of this Realme in any forreine parts, ſhall not within ſixe moneths next after proclamation in that behalfe to be made in the Citie of London, vnder the great Seale of England, returne into this realm, and thereupon, within two daies next after ſuch returne, before the Biſhop of the dioces, or two Iuſt. of P. of the Countie where he ſhall arriue, ſubmit himſelfe to her Maieſt. and her Lawes, and take the oath ſet forth by Act (Anno 1. Eliz.) Then euery ſuch perſon which ſhall otherwiſe returne, come into, or be in this Realme, or any other her highnes dominions, for ſuch offence of returning, or beeing in this Realme, or any other her highneſſe dominions without ſubmiſſion, as aforeſaid, ſhall alſo be adiudged a traitor, and ſuffer, loſe, and forfeit, as in caſe of high treaſon. 27. El. 2.

Sending reliefe to any Ieſuit, Prieſt or perſon abiding in any Seminarie.

5 If any perſon vnder her Maieſties ſubiection or obedience, ſhall at any time by way of exchange, or by any other ſhift, waies, or meanes whatſoeuer, wittingly and willingly, either directly, or indirectly, conuey, deliuer, or ſend, or cauſe, or procure to be conueyed or deliuered to be ſent ouer the ſeas, or out of this Realme, or out of any other her Maieſties Dominions or Territories, into any forrein parts,

or

or shall otherwise wittingly and willingly yeeld, giue, or contribute any money or other reliefe, to, or for any Jesuit, Seminarie priest, or such other priest, deacon, or religious or ecclesiasticall person, as is aforesaid, or to, or for the maintenance or reliefe of any colledge of Jesuits, or Seminarie, already erected, or ordained, or hereafter to be erected or ordained, in any the parts beyond the Seas, or out of this Realme in any forreine parts, or of any person then being of, or in any the same Colledges or Seminaries, and not returned into this Realme with submission, as in this Act is expressed, and continuing in the same Realme: Then euery such person so offending, for the same offence shall incurre the danger and penaltie of Præmunire, mentioned in the statute of Præmunire made An. 16. R. 2. 27. Eliz. 2.

Where the offence shall be inquired of, heard and determined.

6 Euery offence to be committed or done against the tenor of this Act, shall and may be enquired of, heard and determined as well in the Court, commonly called the K. Bench, in the countie where the same Court shall for the time be, as also in any other countie within this Realme, or any other her highnes dominions, where the offence is or shall be committed, or where the offendor shal be apprehended and taken. 27. El. 2.

Fauour to Jesuits and Priests vpon their submission.

7 This Act, or any thing therein contained, shall not in any wise extend to any Jesuit, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person, as is before mentioned, as shall at any time within the said fourtie daies, or within three daies after that he shall hereafter come into this Realme, or any other her highnes dominions, submit himselfe to some Archbishop or Bishop of ỹ realm, or to some Iust. of P. within the countie where he shall arriue or land, and do thereupon truely and sincerely before the same Archbishop, Bishop, or such Iust. of P. take the said oath set forth An. 1. El. and by writing vnder his hand, confesse and acknowledge, and from thencefoorth continue his due obedience vnto her highnes Lawes, Stat. and ordinances, made and prouided, or to be made or prouided in causes of religion. 27. El. 2.

Triall of a Peere.

8 If it happen at any time hereafter, any Peere of this Realme, to bee indicted of any offence, made treason, felonie, or Præmunire, by this Acte, hee shall haue his triall by his Peeres, as in other cases of treason, felonie, or Premunire, is accustomed. 27. El. 2.

A Jesuit or Priest weake of bodie.

9 If any Jesuit, Seminarie Priest, or other Priest aboue said, shall fortune to be so weake or infirme of bodie, that he or they may not passe out of this realme, by the time herein limited without imminent danger of life, and this vnderstood as well by the corporall oath of the partie, as by other good meanes vnto the Bishop of the dioces, and two Iust. of peace of the same Countie, where such person or persons doe dwel and abide: Then, and vpon good & sufficient bond of the person & persons, with sureties of the summe of 200. l. at the least, with conditiõ that he or they shall be of good behauiour towards our Soueraigne Lady the Qu. and all her liege people: Then he or they so licenced and doing as is aforesaid, shall and may remain and be still within this Realme, without any losse or danger to fall on him or them by this Act, for so long time, as by the same Bishop and Iustices shall be limited & appointed, so as the same time of abode exceed not the space of fiue moneths at the most. And no person or persons shall sustaine any losse, or incurre any danger by this Act, for the receiuing or maintaining of any such person or persons so licenced as is aforesaid, for, and during such time onely as such person or persons, shall bee so licenced to tarrie within this realme: any thing in this act to the contrarie notwithstanding. 27. El. 2. EXP. At Q.

Danger in him which cõcealeth his knowledge of Jesuits and Priests.

10 Euery person or persons, being subiect of this Realme, which after the said fortie daies, shall know and vnderstand, that any such Jesuit, Seminarie priest, or other priest aboue said, shall abide, staie, tarrie, or be within this Realme, or any other the Quenes dominions and countries, contrarie to the true meaning of this

Act, and ſhall not diſcouer the ſame vnto ſome Iuſtice of Peace, or other high Officer, within xy. daies next after his ſaid knowledge, but willingly conceale his knowledge therein, euery ſuch offendor ſhall make fine, and be impriſoned at the Qu. pleaſure. And if ſuch Iuſtice of peace, or other ſuch officer, to whom ſuch matter ſhall be diſcouered, dos not within xxbiy. daies then next following, giue information thereof to ſome of the Qu. priuie Councell, or to the Preſident or vicepreſident of the Qu. Councell eſtabliſhed in the North, or in the Marches of Wales, for the time beeing: Then he or they ſo offending, ſhall for euery ſuch offence, forfeit the ſumme of two hundred markes. And ſuch of the priuie Councell, Preſident or Vicepreſident, to whom ſuch information ſhall be made, ſhall thereupon deliuer a note in writing, ſubſcribed with his owne hand, to the partie by whom he ſhall receiue ſuch informatiõ, teſtifying that ſuch informatiõ was made vnto him. 27. El. 2

A J. of peace not giuing information to the Q. Councell.

A note in writing of the information.

All oathes, bonds, & ſubmiſſions certified into the Chauncerie.

11 All ſuch oathes, bonds, and ſubmiſſion, as ſhall be made by force of this Act, as aforeſaid, ſhalbe certified into the Chauncerie by ſuch parties, before whom the ſame ſhall be made, within three moneths after ſuch ſubmiſſion, vpon paine to forf. for euery ſuch offence a hundred pounds to the Quæne, her heires and ſucceſſors. 27. El. 2.

Reſtraint frõ the Court, by perſons ſubmitting.

12 If any perſon ſo ſubmitting himſelfe, as aforeſaid, do at any time within the ſpace of ten yeares after ſuch ſubmiſſion made, come within ten miles of ſuch place where her Maieſtie ſhall be, without ſpeciall licence from her Maieſtie, in that behalfe to be obtained in writing vnder her hand: Then and from thenceforth, ſuch perſon ſhall take no benefit of his ſaid ſubmiſſion, but the ſame ſubmiſſion ſhall be void, as if the ſame had neuer bin. 27. El. 2.

Impriſonmẽt for refuſing to anſwere vpon examination.

13 If any perſon which ſhall be ſuſpected to be a Ieſuit, Seminarie, or Maſſing Prieſt, beeing examined by any perſon, hauing lawfull authoritie in that behalfe to examine ſuch perſon which ſhall be ſo ſuſpected, ſhal refuſe to anſwer directly and truely whether hee be a Ieſuit, or a Seminarie, or a Maſſing Prieſt as is aforeſaid: Euery ſuch perſon ſo refuſing to anſwer, ſhall for his diſobedience and contempt in that behalfe be committed to priſon by ſuch as ſhall examine him, as is aforeſaid: and thereupon ſhall remaine and continue in priſon, without baile or mainprize, vntill he ſhall make direct and true anſwer to the ſaid queſtions, whereupon he ſhall be ſo examined. 35. El. 2.

None ſhall go or ſend another to any Seminarie.

14 All and euery perſon and perſons vnder the Kings obedience, which at any time ſhall goe, or paſſe, or ſhall ſend, or cauſe to be ſent, any child, or other perſon, vnder their or any of their gouernment, into the parts beyond the Sea, out of the K. obedience, to the intent to enter into, or be reſident in any colledge, Seminarie, or houſe of Ieſuits, Prieſts, or any other Popiſh order, profeſſion, or calling whatſoeuer, or repaire in or to any the ſame, to be inſtructed, perſwaded, or ſtrengthened in the Popiſh religion, or in any ſort to profeſſe the ſame: Euery ſuch perſon ſo ſending, or cauſing to be ſent, any child, or other perſon beyond the Seas, to any ſuch purpoſe, or intent, ſhall for euery ſuch offence forfeit to his Maieſtie, his heirs and ſucceſſors, 100. l. And euery ſuch perſon ſo paſſing, or beeing ſent beyond the ſeas, to any ſuch intent and purpoſe, as is aforeſaid, ſhall in reſpect of himſelfe onely, and not to, or in reſpect of any of his heires or poſteritie, be diſabled, and made incapable to inherit, purchaſe, take, haue, or enioy, any Manors, lands, tenements, annuities, profits, commodities, hereditaments, goods, chattels, debts, duties, legacies, or ſummes of money within this Realme, or any other his Maieſties Dominions: And all and ſingular eſtates, termes, & other intereſts whatſoeuer hereafter to be made, ſuffered, or done, to, or for the vſe or behoſe of any ſuch perſon or perſons, or vpon any truſt or confidence mediately, or immediately, to or for the benefit or relieſe of any ſuch perſon or perſons, ſhall be vtterly void, and of none effect, to all intents and purpoſes. 1. Iac. 4. S. Recuſants 70.

15 If

15 If any perſon borne within this Realme, or any the K. Dominions, bee at this preſent in any Colledge, Seminarie, houſe or place in any parts beyond the Seas (to the end to be inſtructed or ſtrengthened in the Popiſh religion) which ſhall not make returne into this Realme, or ſome of his Maieſties Dominions, within one yeare next comming after the end of this Seſſion of Parliament, and ſubmit himſelfe, as is aforeſaid, ſhalbe in reſpect of himſelfe onely, and not to, or in reſpect of any of his heires or poſteritie, vtterly diſabled, and vncapable to inherit, haue, or enioy, any manors, lands, tenements, hereditaments, goods, chattels, debts, or other things aforeſaid within this Realme, or any other his Maieſties dominions. Prouided alwaies, that if any ſuch perſon or childe, ſo paſſing, ſent, ſending, or now being beyond the ſeas, as aforeſaid, to ſuch intents as is before mentioned, ſhall after become conformable and obedient to the laws and ordinances of the Church of England, and ſhall repaire to the Church, and there remaine and be as is aforeſaid, and continue in ſuch conformitie, according to the true meaning of the ſaid ſtat. & ordinances: In euery ſuch caſe, euery ſuch perſon & child, for & during ſuch time as he or ſhee ſhall continue in ſuch conformitie and obedience, ſhalbe freed & diſcharged of al & euery ſuch diſabilitie & incapacitie, as is before mētioned. 1. Ia. 4. *The penaltie of him which is in a Seminarie that returneth not.*

16 No woman, nor any child vnder the age of xij. yeares (except Saylors or Ship boyes, or the apprentice, or factor of ſome marchant in trade of marchandiſe) ſhall be permitted to paſſe ouer the Seas (except the ſame ſhall be by licence of the K. his heires or ſucceſſors, or of ſome fiue or more of the K. priuie Councell thereunto firſt had, vnder their hands) vpon paine, that the officers of the Port, that ſhall willingly, or negligently ſuffer any ſuch to paſſe, or ſhall not enter the names of ſuch paſſengers licenced, ſhall forfeit his office, and all his goods and chattels: And vpon paine that the owner of any ſhip or veſſell, ỹ ſhal wittingly or willingly carry any ſuch ouer the ſeas without licence, as is aforeſaid, ſhal forfeit his ſhip or veſſel, and all the tackle: And euery maſter or mariner, of, or in any ſuch ſhip or veſſel, offending as aforeſaid, ſhall forfeit all their goods, and ſuffer impriſonment xij. moneths, with baile or mainprize. The one halfe of all the penalty & ſummes of money before mentioned to be forfeited, ſhall be to the K. his heirs & ſucceſſors, the other to him or them that will ſue for the ſame in any the courts of record at Weſt. by A. B. P. or J. wherein no E. P. or W. &c. 1. Iac. 4. S. Recuſants 40. &c. *No woman or child ſhall paſſe ouer the Seas.* *The forf.*

Incontinencie.

IT is lawfull to all Archbiſhops, Biſhops, and other Ordinaries, hauing Epiſcopall iuriſdiction, to punish & chaſtiſe ſuch Prieſts, Clerks, &c. being within the bounds of their iuriſdiction, as ſhall be conuicted before them by examination, and other lawful proofe (requiſite by the law of the Church) of adulterie, fornication, inceſt, or any other fleſhly incontinencie, by commiting them to ward and priſon, there to abide, for ſuch time as ſhall be thought to their diſcretions conuenient, for the qualitie and quantitie of their treſpaſſe. And none of the ſaid Biſhops or Ordinaries ſhall be therfore chargeable, of, to, or vpon any Action of falſe imprizonment. 1. H. 7. 4. *Spiritual perſons puniſhed for incontinencie.*

Incumbent.

WHen the K. ſhall make collation, or preſentation to a benefice, in anothers right, the title whereupon he groundeth ſhall be well examined that it bee true, & if at any time before iudgement giuen, the title (vpon good information) bee not found true or iuſt, the collation or preſentment ſhall be repealed, and the Patron, or the poſſeſſor which ſheweth and proueth the title to be falſe, ſhall haue as *The K. preſenting in anothers right.*

The K. presenteth to a benefice full of an Incubent.

many writs in the Chancerie as he will. 25. Ed. 3. 3. And if the King doe present to a benefice, which is full of any Incumbent, the K. presentée shall not be received to such benefice by the Ordinarie, vntill the K. hath recouered his presentation by proces of Law, in his owne Court. And if any presentée of the K. be otherwise receiued, and the Incumbent put out without due proces, the said Incumbent so put forth, may commence his suit, within one yeare after the induction, or the Kings presentation. 13. R. 2. 1. or at any time after the yeare at his pleasure. 4. H. 4. 22. S. Laps. 3. Aduowson.

Indictments.

Words not necessarie in Indictments.

THe words vi & armis, viz. cum baculis, cultellis, arcubus, & sagittis, or such other like, shall not of necessitie be comprised in any inquisition, or indictment, nor the partie indicted of any offence, shall take any aduantage by writ of Error, plea, or otherwise, to auoid any such inquisition or indictment, for that the said words, or any of them, shall not be put in the said inquisition or indictment, but the said inquisitions or indictments, lacking the foresaid words, or any of them, shall be taken to all intents as good and effectuall in law, as if the said words were in them. 37. H. 8. 8.

Proces against Indictees in another countie.

2 THe Justices assigned to heare and determine Felonies, may direct their Writs through all the Counties of England, where neede shall be, to apprehend those which be appealed, indicted, or outlawed of felonie in one countie, & be dwelling, or receiued in another countie. 5. Ed. 3. 11.

Indictment of persons dwelling in forrein Counties.

3 Vpon euery indictment or appeale, by the which any of the K. liege people dwelling in other counties than there where the Indictment or appeale shall be taken of Treason, Felonie, and trespalle, before Justices of Peace, or any other hauing power to take such indictments or appeales, or other Commissioners or Justices in any Countie, Franchise, or Libertie within England, before any Erigent awarded vpon any indictment or appeale to bée taken in forme aforesaid, immediately after the first writ of Capias vpon euery such indictment or appeale awarded and returned, another writ of Capias shal be awarded, directed to the Shirife of the Countie wherof he which is indicted, is, or was supposed to be conuersant by the same indictment, returnable before the same Justices or Commissioners, before whom he is indicted, or appealed at a certaine day, containing the space of three moneths, from the date of the ỳ said last writ, by the which writ of second Capias, it shal be contained and commanded to the same Shirife, to take ỳ body of him which is so indicted or appealed, if he may be found within his bayliwike: And if he cannot be found within his bayliwike, that the Shirife shall make proclamation in two Counties before the returne of the same writ, that he which is so indicted or appealed, shall appeare before the same Justices or Commissioners in the Countie, Libertie, or Franchise, where hée is so indicted or appealed, at the day contained in the said last writ of Capias, to answere to the King or to the partie of the felonie, treason, or trespalle, whereof he is indicted or appealed, after which second writ of Capias so serued, and returned, if he which is so indicted or appealed, doth not come at the day of the said writ of Capias returned, the Erigent shall be awarded against such indictées or appealées, and euery of them. And if any Erigent bée awarded vpon any such indictment or appeale against the aforesaid forme, or any outlawrie thereupon pronounced, the said Erigent and the outlawrie thereupon pronounced, and euery of them shall be void. And the partie against whom such Erigent is awarded, or Outlawrie pronounced, against the foresaid forme, shall not be endamaged in his life, lands, or goods, &c. And euery one which is indicted or appealed in forme aforesaid, after hee is acquitted by verdict in forme of Law,

Action against Procurors.

may haue an Action vpon the case, against euery Procuror of such indictments

or

or appeales, in which action there shall be like proces, as in action of Tresp̃as vi & armis. And if the said Procurors be attainted, the plaintife shall recouer treble damages. But this Statute extendeth not to Indictments or Appeales taken in the Countie of Chester: Nor to any Indictment or Appeale of Felony or Treason, taken of any of the K. liege people, which at the time of the same felonie or treason supposed, is, and was conuersant within the Countie whereof the Indictment or Appeale maketh mention, but the like proces shall be made against such indicted or appealed person as hath bẽ vsed. 8. H. 6. 10. S. Exigent 5. 6. Indictment or Appeale in the Countie of Chester.

4 And if any such Indictments taken before any Iust. of peace, or any other hauing power to take such Indictments or Appeales, or other Iustices or Commissioners in any Countie, franchise, or libertie of England, shalbe remoued into the K. Bẽch, or elsewhere, by Certiorari, or otherwise, then after such remouing, before any Exigent awarded vpon any such indictment or appeal in forme aforesaid takẽ, immediatly after the first writ of Capias vpon euerie such indictment or appeale awarded, and returned, another writ of Capias, shalbe awarded, directed to the Sherife of the Countie whereof he that is so indicted or appealed, is, or was supposed to be conuersant by the same indictment or appeale, returnable in the K. Bench, at a certaine day, containing the space of three monethes from the date of the said last writ of Capias, according to the maner and forme that the Iustices of P. and other ought to haue done, before such remouing. And if any Exigent be awarded vpon any such indictment or appeale after such remouing against the forme aforesaid, or any Outlawrie thereupon pronounced, as well the same Exigent as the Outlawrie, and euerie of them be void. 10. H. 6. 6. Proces vpon an indictment remoued into the K. Bench

5 If a man be indicted of Felonie before Iust. to heare and determine in their Sessions, the Sherife shalbe commaunded to attach his bodie by writ or Precept, called a Capias. And if the Sherife returne therein, that the bodie is not found, immediatly another writ or precept of Capias shalbe awarded, returnable iij. weekes after, and therein it shalbe comprised, that the Sherife shall seize all his cattels, and safely kepe them vntil the day of the writ or precept returned. And if the Sherife returns that the bodie is not found, and the Indictee commeth not, the Exigent shalbe awarded, and the cattels shall be forf. But if he come and yeld himself, or be taken by the Sherife, or other Officer, before the returne of the ij. Capias, the goods and cattels shalbe saued. 25. E. 3. 14. Proces vpon an indictment of Felonie.

1 In what sort an Ordinarie shall bee indicted of extortion, or oppression. S. Ordinarie 2.

2 No Indictor shall bee put in Enquests, vpon the deliuerie of the partie indicted. S. Iurors 3.

3 Where Iustices of peace may charge one Enquest to indict another. S. Iurors 9. Iust. of peace 45.

4 For Indictments taken in the Countie of Lancaster, of any person dwelling in another shire. S. Iurors 17.

5 For Indictments taken in another Countie against any person dwelling in the Countie of Lancaster. S. Iurors 18.

6 By what persons and by whom empanelled, all Indictments shall bee made. S. Iurors 7.

7 Indictments taken before Sherifes in their Turnes, shalbe deliuered to the Iust. of P. of the same shire. S. Sherifes 12.

8 Indictors beeing sued in Spirituall Courts, shall haue a Prohibition. S. Prohibition 7.

9 Iustices of P. may award proces against them which be indicted in the Sherifs Turne. S. Sherifes 13.

10 For the order of taking Indictments in the Sherifes Turne. S. Sherifes 12.

Inholders

Inholders.

How an Inholder ſhall ſel Hay, Otes, Litture.

INholders or Hoſtlers ſhall ſell their Hay and Otes at a reaſonable price, & ſhall take nothing for their Litture. 13 R.2.8. And if any Inholder doe take aboue a halfepenie more for a buſhell of Otes, then the common price in the market, & that be duely proued, he ſhall forfeit the quadruple value of that which he hath taken ouer, and that as well at the parties, as at the K. ſuit. 4.H.4.25.

Horſe-bread.

2 Euerie Hoſtler, or Inholder (except hereafter excepted) that maketh Horſe-bread in his houſe, or elſewhere, ſhall forfeit the treble value thereof. 13. R.2.8. 4.H.4.25. But euerie Hoſtler or Inholder, dwelling in any Towne or Village, being a thorough-fare, or common paſſage within this Realme, and being no Citie, Towne Corporat, or Market Towne (wherin any common Baker exerciſing the occupation of baking, which hath béene prentice to the ſaid occupation ſeuen yeares, is dwelling) may make within his houſe Horſe-bread, ſufficient, lawfull, and of due aſſiſe, according to the price of Graine: any thing mentioned in either of the foreſaid Statutes notwithſtanding. 32.H.8.41. S. Iuſtices of Peace 50. Leets 12.

Inrolments.

Inrolments of bargaines & ſale of lands.

NO Manors, Lands, Tenements, or other Hereditaments ſhall paſſe, alter, or change from one to another, wherby any eſtate of inheritance or freehold ſhall be made or take effect in any perſon or perſons, or any vſe therof to be made by reaſon onely of any bargaine and ſale thereof, except the ſame bargaine & ſale be made by writing indented, ſealed & inrolled in one of the K. Courts of Record at Weſt. or elſe within the ſame Countie or Counties where the ſame Manors, Lands, and Tenements ſo bargained and ſold, lye, or be, before the Cuſtos Rotulorum, & two Iuſt. of the P. and the Clerke of the peace of the ſame Countie or Counties, or two of them at the leaſt, whereof the Clerke of the peace to be one, and the ſame inrolment to be had and made within ſix moneths next after the date of the ſame writing indented. 27.H.8.16.

The fées for inrolment in the Countie.

2 The ſame Cuſtos Rotulorum, or Iuſtices of Peace, and Clerke, ſhall take for the inrolment of euerie ſuch writing indented before them, where the land comprized in the ſame writing exceedeth not the yerely value of xl. ſhillings, y.s. that is, xy.d. to the Iuſtices, and xy.d. to the Clerke, and for the inrolment &c. where the land comprized doth exceed the ſumme of xl.s. in yerely value, v.s. that is, y.s.vj.d. to the Iuſtices, and ij.s.vj.d. to the Clerke for inrolling the ſame deed. And the Clerke of the Peace of euerie Countie, ſhall ſufficiently enroll in parchment the ſame writings indented, and ſhall at the end of euerie yere deliuer the rolles thereof to the Cuſtos Rotulorum of the ſame Countie, there to remaine, to the intent that euerie partie that hath to do therewith, may reſort to him, and ſée the effect thereof. 27.H.8.16.

Corporat Townes vſing to inroll.

3 But this Act doth not extend to any Lands, Tenements, or Hereditaments lying within any Citie, Borough, or Towne Corporat, wherein the Maiors, Recorders, or other Officers haue authoritie, or haue lawfully vſed to inroll any euidences, deeds, or other writings, within their precincts and limits. 27.H.8.16. For recoueries, deeds inrolled, and releaſes taken and knowledged before them, be and remaine of like force to all intents, as any of them were before the making of the ſaid Act. 34.H.8.22. S. Women 5.

4 From the Feaſt of Eaſter next (being 11. Aprilis, Anno Dom. 1563.) all inrolments of ſuch writings indented (viz, as be before mentioned, 27. H.8.16.)

of

of any bargaine and ſale after the ſaid Feaſt of Eaſter, to be made of any Manors, lands, tenements, or other hereditaments, ſet, lying, or being in the Counties of Lancaſter, Cheſter, and Biſhoprick of Durham, being made and inrolled within ſix moneths next after the date of any ſuch writings indented in the M. Court of Chauncerie at Lancaſter, or before the Mu. Juſtice or Juſtices of Aſſiſes at Lancaſter aforeſaid, concerning any manors, lands, tenements, or hereditamẽts within the ſaid Countie of Lancaſter, or in the M. Court of the Exchequer at Cheſter, or before the Quænes Juſtice or Juſtices of Aſſiſes at Cheſter aforeſaid, concerning any Manors, lands, tenements, or hereditaments within the ſaid County of Cheſter, or in the Court of Chauncerie at Dureſme, or before the Juſtice or Juſtices of Aſſiſes at Dureſme aforeſaid, concerning any manors, lands, tenements, or hereditaments, within the ſaid Countie of the Biſhoprick of Dureſme, ſhalbe accepted, deemed, reputed, and taken to be as good and auaileable in law, to all intents, as if the ſame writings indented had bẽn made and inrolled in any of the Mu. Courts at Weſtminſt. any thing in the ſaid former Act &c. notwithſtanding. 5. Eliz. 26. Inrolments in Lancaſter, Cheſter, Durham.

5 Prouided alwayes, that this Act ſhall not extend to any manors, lands, &c. lying within any Citie, Borough, or Towne corporat within any of the ſaid counties wherein the Maiors, Recorders, Bailifes, or other Officer or Officers haue authoritie, and haue lawfully vſed to inroll any Euidences, Deeds, or other writings within their precinct or limits, any thing &c. notwithſtanding. 5. Eliz. 26. A Statute not in print. Corporat townes.

1 In what caſe it is neceſſarie, that a ſafe conduct ſhould be inrolled. S. Safeconduct 1.

2 Such things which concerne Fines and recoueries, may bee inrolled. S. Fines 19. 29. &c.

3 For the Office of Inrolments, and fees of Inrolments of Fines and recoueries. S. Fines 24. 34.

4 That Writs of Rediſſeiſin & Secunda ſuperoneratione paſturæ ſhall be inrolled. S. Admeaſurement 2.

Iointenancie.

IF the tenant in Aſſiſe of Nouel diſſeiſin alledgeth againſt the plaintife, that hee holdeth the tenements demanded iointly enfeoffed with his wife, or with ſome ſtranger not named in the writ, and ſheweth a deed that teſtifieth the ſame, & prayeth iudgement of the writ, if the plaintife offer to verifie by the aſſiſe, that the tenant at the day of the purchaſing of the writ was ſole tenant, and that neither his wife nor any other had any thing in the tenements in demand, then the Juſt. ſhall retaine the ſaid deed in their keeping, as that which is in effect denied. And they ſhall warne by writ the partie which is abſent, that hee appeare at a certaine day, together with the other tenant, to anſwer to the plaintife, as well of the exception, as of the tenements demanded, and put in view, if he ſhall thinke good. At which day, if both they which were named tenants appeare, and auow the feoffement, they ſhall anſwer and maintaine the exception alleaged by one of them, & likwiſe plead further to the Aſſiſe, as though the writ had bẽne purchaſed iointly againſt them. And if it be found by the Aſſiſe, that the ſaid exception was maliciouſly alledged to delay the right of the plaintife, for that they were not iointly enfeoffed at the day of the purchaſing of the writ, then though the Aſſiſe paſſe for the tenãts againſt the plaintife, yet they ſhalbe one yere impriſoned, for alleadging ſuch exception, frõ whence they ſhall not be deliuered without a grieuous fine. But the Juſtices ſhal not admit any ſuch exception by the bailifes of any tenants. And if he which alleadgeth Iointenancie pleaded in Aſſiſe. Iointenancie not pleadable by baily.

leadgeth that exception, absent himself at the day, and the other which is said ioint feoffee, appeareth and disauoweth the deed, yet the Assise shall be taken against the tenant, that is absent by his default: and if it be found by the Assise, that they were not ioynt feoffees, at the day of the purchasing of the writ, and likewise that the tenant against whom the writ was purchased, or any other named in the writ did disseise the plaintife, then hauing consideration to the exception falsly and malitiously alledged to the hurt of the partie, and to the disseisin by them done, the plaintife shall recouer his seisin and his double damages, and he that alledged the exception, shalbe punished in forme aforesaid. And if neither of the tenants come at the day, then the assise shalbe taken against them by their default. And if it be found by the assise, that the exception be true and lawfully alledged, that they which did alledge the same were iointly enfeoffed before the plaintif purchased his writ against them, the plaintifes writ shalbe quashed whether both or one onely come. 34. E. 1.

Iointenancie in Mortdaunceſter, or Iuris vtrum.

2 In the same maner, if in Assise of Mortdaunceſter, or Iuris vtrum, at the first day that the partie appeare in Court, the tenant alledgeth the foresaid exception against the plaintife, & thereof sheweth forth a deed, and the plaintife offereth to verifie by Assise or Iurie, that the tenant at the day of purchasing of his writ was sole tenant, then the same Proces and order of proceeding shalbe obserued as before is said in Assise of Nouel diſſ. and the offendors in like sort punished. 34. E. 1.

Iointenancie pleaded in any Præcipe.

3 In other writs whereby lands be demaunded, if at the first day of the parties apparance in court, the tenant alledgeth the foresaid exception of ioynt feoffement, and the demandant offereth to verifie his writ by a Iurie of the countrey, that the tenant at the day of the purchasing of the writ was sole tenant, then the same proces and maner of proceeding shalbe obserued betweene the parties, vntill the Iurie haue passed betweene them, and if it be found by the Iurie, that the exception was truely alledged, the writ shalbe abated: But if it bee found that the exception was falsly and malitiously alledged to the hurt of the partie, then the demandant shall recouer seisin of the lands demanded, and the tenant shalbe imprisoned as is aforesaid, and answer damages after the discretion of the Iustices. 34. E. 1. Stat. de coniunctim feoffat.

1 Where, and by what meanes Iointenants are compellable to make partition. S. Partition 2. 3. 4.

Iron.

Wood not to be imploied to the making of Iron.

NO person shal conuert or employ, or cause to be conuerted or employed to coale or other fuel for the making of Iron, any timber tree of Oake, Beech, or Ashe, or any part therof, of the breadth of one foot square at the stub, & growing with iiij. miles of the sea, or of any part of the riuers of Thames, Seuerne, Wie, Humber, Ouse, Tine, Tees, Trent, or any other riuer, creeke, or streame, by the which cariage is commonly vsed by boat or other vessel to any part of the sea, vpon pain of forfeit. for euerie such tree, or any part thereof so imploied, &c. xl. s. to the Q. and I. to be recouered by A. I. &c. wherein no W. E. P. or I. &c. 1. El. 15.

2 But this Act shall not extend to the Countie of Sussex, nor to the Wield of Kent, nor to any the parishes of Charlewood, Newdigate, and Ligh in the County of Surrey. 1. El. 15.

Wood conuerted into coale for the making of Iron.

3 No person or persons shall conuert or employ, or cause to be conuerted or imployed to coale, or other fuell, for the making of Iron, or Iron mettall, in any Iron mils, furnace, or hammer, any manner of wood, or vnderwood now growing, or which hereafter shall grow within the compasse of xxij. miles, from and about the Citie of London, or the Suburbes of the same, or within xxj. miles of the riuer of Thames,

Thames, from Dorchester in the Countie of Orford downwards the said riuer of Thames, nor within foure miles of the fot of the hils called the Downes, betwixt Arundel and Pemsey in the Countie of Suſſex, nor within foure miles of any of the Townes of Winchelsey and Rie, nor within two miles of the Towne of Pemsey, nor within two miles of the Towne of Hastings in the said Countie, vpon paine to forfeit for euerie load of wood so to bee imployed, or conuerted into coale, or other fuel for the making of Iron, or Iron mettall, in any Iron mill, furnace, or hammer, as aforesaid, xl.s. to the K. and I, to bee recouered by A.B.P. or I. wherein no W.E.P. or I. &c. 23. El. 5.

4 This Act shal not extend to any woods growing or to grow in any such parts of the Wildes of Surrey, Suſſex, or Kent, within the said twenty two miles of the said Citie of London, and the riuer of Thames, as is distant aboue eighténe miles from the Citie of London, and eight miles from the said riuer of Thames. 23. El. 5. The wields of Suſſex, Surrey, and Kent.

5 No new Iron worke shall bée erected within xvj. miles of the said Citie of London, nor within xiiij. miles of the aforesaid Riuer of Thames, nor within iiij. miles of the Downes aforesaid, or of the said Townes of Pemsey, Winchelsey, Hastings, or Rie, vpon paine of C. l. likewise to bée recouered and imploied as is aforesaid. 23. El. 5. New Iron workes.

6 This Act, nor any thing therein contained, shall extend to any woods or vnderwoods, now standing or growing, or which hereafter shall stand or grow in or vpon any lands of Christopher Dorrel Gent. in the parish of Newdigate, within the Wield of the Countie of Surrey, which woods of the said Christopher haue heretofore bin, and be by him preserued and coppised for the vse of his Iron works in those parts. 23. El. 5. Christopher Dorrell.

7 No person or persons shall make, erect, build, or new set vp, at, or in any place within the Counties of Suſſex, Surrey, or Kent, or any of them, any maner of Iron Mils, furnace, finarie, or blomarie, for the making or working of any manner of Iron, or Iron mettall, other then either vpon such old & former baies or pennes, whereupon hath lately bèen, or at the time of the new erection shalbe then standing some Iron mils, furnace, or hammer, or else in and vpon such lands as the partie or parties so erecting any such intended new worke, shal continually furnish the same with sufficient supply of his, or their owne woods, standing or growing in and vpon his or their owne proper soile, or land, being to him or them in fée simple, fée tail, or for terme of life or liues, without impeachment of waſt, at the leaſt, & not otherwise. Nor shall conuert, or employ, or cause to be conuerted or emploied to coales or other fuel, for the making or working of Iron, or Iron mettall, in, or about any Iron mils, furnaces, hammers, finarie, forge, or blomarie, the bodie or bodies of any sound timber trée or trées, apt for the making of good and sufficient cleft wares, or sawing timber of Oke, Ash, or Elme, growing of the breadth or bignesse of one fot square at the stub, or any part of the same bodie or bodies of any such trée or trées, vpon paine of forfeiture for euerie Iron Mill, furnace, forge, finarie, or blomarie, made, erected, builded, or set vp, contrarie to the tenor and true meaning of this Act, three hundred pounds: And for euerie bodie of euerie such timber trée, so imploied or conuerted to coale or fuell, for the making or working of Iron, as is aforesaid, xl.s. to the K. and I. to be recouered by A.B.P. or I. wherein no W.E. P. &c. 27. Eliz 19. No new Irō mil shall be set vp in Suſſex, Surrey, Kent. Good timber shall not be consumed for the making of Iron.

8 It shall and may be lawfull to and for the owners of such trées, the bodies whereof haue bèene or shall be from time to time conuerted and imployed to or for any maner of timber or cleft ware, within the Wields of Suſſex, Surrey, or Kent, or any of them (the same not being within xviij. miles of the Citie of London, or viij. miles of the riuer of Thames, or foure miles of the townes of Rie and Winchelsey, or within three miles of Hastings, or within foure miles of the fot of the Tops and offals of trees imployed to Iron workes.

Hils

Hils called the Downes betweene Arundel and Pemsey in the Countie of Sussex aforesaid, or any of them) to imploy the tops and offals of all such trees, to, or for coales or other Fuel, serving to or for yron works, at their own wil and pleasures, this statute, or any other &c. notwithstanding. 27. El. 19.

9 Iron made in England, and Iron brought into England, and there sold, shal not be carried out of England, vpon paine of forfeiture of the double value to the King. 28. E. 3. 5.

1 None shall make Bilbow Iron like the fashion of gads of Steele. S. Steele.

Iurors, Iuries, and Enquests.

What sort of people shall be returned vpon euerie Iurie.

IF any Sherife or Bailife doe put into any Jurie (others then such as bee next neighbours, most sufficient, and least suspitious) and is thereof attainted, he shal pay vnto the plaintife his double damages, and be amerced vnto the King. 28. E. 1. 9. 34. E. 3. 4. 42. E. 3. 11.

Exemptions by age or graunt.

2 Old men aboue lxx. yeares of age, being continually sicke, or diseased at the time of the summons, or not dwelling in the Countie, shall not be put in Juries, or petit Assises, and there shalbe no more summoned in one Assise, then xxiij. But this shall not extend to great Assises, in which many times it behoueth Knights to passe not resident in the country, for scarcitie of Knights. West. 2. 13. E. 1. 37. They which do purchase charters of exemption, and libertie, not to be impanelled in Assises, Juries, and Enquests, yet if their othes be so requisit, that without them iustice cannot be ministred, as in great Assises, Perambulations, & in dedes or writings of Couenants (where they be named for witnesses) or in Attaints, and in other like cases, they shalbe compelled to sweare, Sauing to them at another time their foresaid libertie and exemption. Marlb. 52. H. 3. 14.

Indictor.

3 No Indictor shalbe put in Enquests, vpon deliuerance of the Indictées of felonie or trespasse, if he be challenged for the same cause by him which is indicted. 25. E. 3. 3. S Chalenge 6.

Officer of the Forest.

4 No Foster, Verderor, Regardor, Agistor, or other officer of the forest, shalbe put in any Ass. Juries, or Enquests, to be taken out of the same Forest. 34. E. 1.

Juror taking reward to giue his verdit.

Decies tantum.

5 If any Juror sworne in Assises, or other Enquests to be taken betweene the K. and the partie, or betweene partie and partie, do by himselfe or any other take any thing of the plaintife or defendant to giue his verdict, and therof is attainted at the suit of the partie, which will sue for himselfe, or for the K. or of any other person (entring his plaint by bill, immediatly before the Justices, before whom the Jurie was sworne) the said Juror shall pay ten times so much as he hath receiued. And all those which be Imbracers to lead and procure such Enquests in the Countrey to make a gaine and profit thereof, shalbe punished as the Jurors: and if the Juror or Imbracer so attainted, haue not wherewith to make recompence, in some aforesaid, he shalbe one yeare imprisoned, which imprisonment shall not bee pardoned for any fine, and the partie grieued may haue his action before other Justices, if he will. But no Justice or other Officer shall enquire of office, vpon any of the points of this stat. but onely at the suit of the partie, or of others, as aforesaid. 34. E. 3. 8. 38. E. 3. 12. S. Attaint 17.

Imbracers

Ambidexter.

6 If any Juror in Assises, Juries, or Enquests, take of the one partie, and of the other, and be thereof duly attainted, he shal not after bee put in any Assises, Juries, or Enquests, but shalbe sent to prison, and further punished at the K. pleasure. And the Iust. before whom such Assises, Juries, and Enquests shall passe, haue power to enquire and determine, according to this Stat. 5. E. 3. 10.

Iurors in indictments.

7 No Indictment shalbe made by any persons which be outlawed before Iust. of Record, or which haue fled to Sanctuarie for Treason, or Felonie, there to haue refuge,

refuge, but by Enqueſt of the Kings liege lawfull people, returned by the Sheriffes or Bayliffes of Franchiſes, without any denomination to the Sheriffes or Bayliffes of Franchiſes before made, of any perſon of the names which by him ſhall be returned (except it be by the officers of the ſaid Sheriffes or Bayliffes of Franchiſes knowne and ſworne to make the ſame, and other miniſters to whom it appertaineth by the lawes to make the ſame.) And if any indictment be made in any point to the contrarie, the ſame ſhall be void and revoked. 11. H. 4. 9. S. the force of this ſtatute for the denomination in ſome reſpects altered by the ſtatute next following.

8 But all panels returned, which be not at the ſuite of any partie, that ſhalbe made and put in, by every Sherife and their miniſters, before any Juſtice of Gaole delivery, or Juſtice of peace (whereof one to be of the Quorum) in their open Seſſions, to enquire for the King, ſhalbe reformed by putting to, and taking out of the names of the perſons that be ſo impanelled, by every Sherife and their Miniſters, by the diſcretion of the ſame Juſtices, before whom ſuch perſons ſhalbe returned. And the ſame Juſtice and Juſtices ſhall commaund every Sherife, and their miniſters in their abſence, to put other perſons in the ſame panell by their diſcretions. And the ſame panels ſo reformed by the ſaid Juſtices, to be good & lawfull. And if any Sherife, or other miniſters, at any time do not returne the ſame panell ſo reformed, then every ſuch Sherife or miniſter ſo offending, for every ſuch offence ſhall forfeit. xx.l. to the K. and J. to be recouered by A. B. &c. wherein no W. E. P. &c. And the K. pardon ſhalbe no barre againſt the party in the ſame, that ſhall ſue any ſuch action. 3. H. 8. 12. Panels reformed by the Juſtices.

9 The Juſtices of Peace in every ſhire of this Realme may take by their diſcretions an Enqueſt (whereof every man ſhall haue lands & tenements, to the yearely value of xl.s. at the leaſt) to enquire of the concealement of other enqueſts taken before them & before other, of ſuch matters & offences as are to be enquired & preſented before J. of Peace, wherof complaint ſhalbe made by bill or bils, as well within Franchiſe, as without. And if any ſuch concealement be found of any Enqueſt had or made, within the yeare after the ſame concealement, every perſon of ỹ ſame Enqueſt ſhalbe amerced for the ſame concealements, by the diſcretion of the ſame Juſtices of Peace, the ſaid amerciaments to be aſſeſſed in plene Seſſions. 3. H. 7. 1. S. Leetes 6. 11. Enqueſt to enquire of cõcealement of other enqueſts

10 No Sherife, Underſherife, or Bayliffe of Libertie, ſhall put in any recogniſance of Aſſiſes, Juries, Enqueſts, or Attaints that ſhall paſſe out of their proper Countie any perſon of their Bayliwikes (except he hath lands & tenements to the yearely value of 100.s. at the leaſt) or that ſhall paſſe within the County (except he hath lands to the value of xl.s. yearely. 21. Edw. 1.) Neither ſhall any of them, or other Bayliffe, returne vpon any writ or precept to them directed, to returne any Enqueſts in any pannell thereupon to be made, any bayliffes, officers, or ſeruants of any Sherife, Under-ſherife, Sheriffes Clerke, Coroner, Steward of Franchiſe, Bailiffe, or Warden of priſons, in any panell by them ſo to be made. 23. H. 6. 10. S. Iuſtices of Peace 90. Sufficiencie of freehold. Sherife, coroners, or gaolers ſeruants.

11 No perſon ſhal be admitted to paſſe in any Enqueſt vpon triall of the death of a man, or in any Enqueſt betwixt party and party in plea reall, or in plea perſonall whereof the debt and dammages declared, doe amount to fortie markes, if the ſame perſon hath not lands and tenements of the yearely value of xl.s. aboue all charges, ſo that he be challenged for that cauſe by the partie &c. 2. H. 5. 3. But this Statute doth extend onely to Enqueſts to be taken or made betwixt denizen and denizen, and not to Enqueſts or prowes to be taken or made betwixt aliens and denizens, according to the Statute of 28. Edw. 3. 13. for that purpoſe ordained. 8. H. 6. 29. Enqueſt touching the life of man, plea reall, or fortie markes dammages.

Iurors to enquire of forcible entry.

12 Upon complaint made to one or more I. of Peace, of entry or detaining of lands with force, the ſaid Iuſtice ſhall make his preceipt to the Sherife of the ſame Countie, commaunding him in the K. behalfe, to cauſe appeare before him, ſufficient & indifferent perſons, dwelling neare vnto the place where ſuch force is, to enquire thereof, wherof euery one hath lands or tenements to the cleere yeerely value of xl.s. vpon euery of which Iurie the Sherife ſhall returne Iſſues, vpon the firſt Preceipt twentie ſhillings, vpon the ſecond xl. ſhillings, vpon the third 100. s. and at euery day after, double. And if the Sherife, or any Baylife, hauing returne of Writs, be ſlacke, and doe not duly execute the ſaid Preceipts, he ſhall forf. for euery default xx. l. to the King, and alſo pay to him a fine. 8. H. 6. 9. S. Force 2. Iuſtice of Peace 89.

Iurors returned before Eſchetors or Cõmiſſioners

13 If a Sherife or other perſon, which ought to returne writs or preceipts, do returne before any Eſchetor or Commiſſioner, any perſons to inquire of lands or tenements, except euery of the ſame Jury ſo returned, or other to his vſe, haue lands or tenements of the yerely value of xl. s. aboue all charges within the ſame Shire where the inquiſit ſhalbe made, he ſhal forf. for euery perſõ ſo returned xl.s. (except the ſame Iurors be returned before an eſchetor in a citie or corporat towne, or which is made by any perſon hauing priuiledge to make Eſchetors.) 1. H. 8. 8. 3. H. 8. 2. S. Eſchetor, Office, Inquiſition.

Iurors in the ſhirifes turne.

14 If any Baylife, or other officer in any Countie of this Realme, doe returne or impanell in any panel to be taken, or put, in, or vpon any inquiſition or inquiry, before the ſhirife in his Turne, other then ſuch as be of good name and fame, and which haue lands or tenements of freehold within the ſame Counties, to the yerely value of xx. s. at the leaſt, or elſe Copyhold lands and tenements holden by Cuſtome of the Manour within the ſaid Countie, to the yerely value of xxvj. s. viij. d. aboue all charges at the leaſt, he ſhall forf. for euery perſon ſo impanelled, or returned, not being of the ſufficiencie aforeſaid xl. s. and the Shirife other xl. s. to the K. and I. &c. to be recouered by A. of Debt, wherein no E. P. &c. And euery Indictment, taken before the Shirife in his Turne, in any other manner, ſhall be void. 1. Rich. 3. 4.

Triall of Felonies in corporat townes.

15 Euery perſon being the K. naturall ſubiect borne, which either by name of a Citizen, or a Freeman, or any other name, doth enioy the liberties of any Citie, Borough, or Towne corporat, where he dwelleth, being worth in moueable goods to the cleare value of xl. l. ſhalbe admitted in triall of Murders & Felonies in euery Seſſions and Gaoles deliueries kept in & for the libertie of ſuch Cities, Boroughs, or Townes corporat, albeit he hath no freehold. But this Act extendeth not to any Knight or Eſquire, dwelling, abiding, or reſorting in or to any ſuch City &c. 23. H. 8. 13.

Iurors impanelled in the Courts in London.

16 No perſon ſhalbe impanelled, ſummoned, or ſworne in any Jury or Enqueſt in Courts within the Citie of London, except he be of lands, tenements, goods, or cattels to the value of xl. markes. And no perſon ſhall be impanelled, ſummoned, nor ſworne in Iuries or Enqueſts in any Court within the ſaid Citie, for lands or tenements, or action perſonall, wherein the debt or dammages amounteth to the ſumme of xl. markes, or aboue, except he be in lands, tenements, goods, or cattels, to the value of 100. markes. And the ſame matter & cauſe alledged by any of ỹ ſaid parties by way of challenge, & ſo found, ſhalbe admitted & taken in euery of the ſaid Courts as a principall challenge. And euery ſuch perſon impanelled or ſummoned to appeare in any Iurie or Enqueſt, before any of the Iudges of the ſame Citie, making default at the firſt ſummons, ſhall loſe & forfeit in iſſues xx. d. and at the ſecond default x. s. & ſo at euery default after that, the iſſues & penalties ſhalbe doubled. And all ſuch iſſues loſt in the Maiors Court, ſhall be forfeited, levied, & perceiued to the vſe of the Maior & Comminaltie of the ſaid Citie. And all ſuch iſſues loſt

Iſſues returned.

in

in the Shirifes Court or Courts, ſhall be forfeited, leuied and perceiued to the vſe of the Shirifes of the ſame Citie for the time being toward their fee farme. 11.H. 7.21. And for all ſuch iſſues in forme aforeſaid to be loſt or forfeited in the Mayors Court, it ſhalbe lawfull to the ſaid Maior, and to his ſucceſſors to diſtraine, and the ſame diſtreſſe to retaine, vntill he or they be ſatiſfied of the ſaid iſſues. And in like manner it ſhall be lawfull to the ſaid Shirifes, and their ſucceſſors, to diſtreine for ſuch iſſues loſt in their Courts, and the ſame to retaine, vntill they be ſatiſfied of the ſaid iſſues. 4.H.8.3. And the Shirifes of London haue authoritie to returne in panels of all actions and ſuits depending in the Kings Bench and common place, or Exchequer, and triable at S. Martins the graund in London by Niſi prius, perſons being citizens, hauing goods to the value of 100. Markes, or aboue, to trie the iſſues ioyned in euery ſuch action or ſuit. And the perſons ſo returned ſhall be ſworne, and doe in all ſuch Iuries likewiſe in euery thing, as other perſons ſhall doe, hauing lands, &c. to the yearely value of xl.s. ouer all charges. The Shirifes of the ſaid citie ſhall returne vpon the firſt diſtreſſe xx. ti. in euery ſuch action, or ſuit, vpon euery of the Iurors impanelled to trie the iſſues ioyned of all things triable in London by proces of Niſi prius out of the ſaid Courts, vpon the ſecond diſtreſſe iij.s. iiij.d, and vpon euery diſtreſſe after that, the double value, vntill a full Iurie in euery ſuch action or ſuit ſhall appeare, and be ſworne to trie the iſſues ioyned in the ſame. And if the Shirifes make any returne vpon ſuch diſtreſſe, contrarie to the forme aforeſaid, they ſhall forfeit x.l. to the King and Informer, wherein no Wager, P. &c. 4.H.8.3. 5.H.8.5. See Challenge 3.

Panels in London of ſuit depending in the K. Courts at Weſtminſter.

Iſſues returned.

17 Euery Indictment to be taken before any of the Kings Iuſtices in the Countie Palantine of Lancaſter, or before any Shirife in his Turne, in the ſaid Countie, whereby any perſon or perſons be ſuppoſed by the ſame Indictment to be, or to haue bin inhabiting or conuerſant out of the ſaid County, and within any other Countie within England, ſhall be taken by verdict of xij. men, whereof euery of them, or ſome other to their vſe, ſhall haue lands and tenements to the yearely value of 100.s. And no proces ſhall be made out of ſuch Indictment, before it be duely examined before the Iuſtices, within the ſaid Countie, whether the ſaid Indictors, and euery of them, at the time of ſuch Indictment taken, had lands and tenements within the ſaid Countie of Lancaſter, to the yerely value of 100.s. aboue all charges. And if it be found that euery of the ſaid Indictors at the time of the ſaid Indictment taken, had not lands &c. to the ſaid yearely value of 100.s. then the Indictment, as to ſuch perſons ſo indicted, ſuppoſed by the ſaid indictment to be inhabiting or conuerſant out of the ſaid Countie of Lancaſter, ſhall be void. 33.H.6.2.

Indictment in the County of Lancaſter, of a forrein dwelling in another Shire.

18 And in like ſort euery ſuch Indictment taken in any other Countie, of any perſon inhabiting within the Countie of Lancaſter, ſhall be taken by the verdict of xij. men, euery of them hauing lands to the yearely value of 100.s. in that other Countie, or elſe the Indictment ſhalbe void. 33.H.6.2.

Indictment of one dwelling in the Countie of Lancaſter.

19 In all caſes where any Iuror to be returned for the triall of any iſſue or iſſues ioined in any of the Quenes Courts of the Kings Bench, Common pleas, and the Exchequer, or before Iuſtices of Aſſiſe, by the lawes of this Realme now in force, ought to haue eſtate of freehold in lands, tenements, or hereditaments, of the cleare yearely value of xl.s. in euery ſuch caſe, the Iurors that ſhall be returned, ſhall euery of them haue eſtate of freehold in lands, tenements, or hereditaments, to the cleare yearely value of foure pounds at the leaſt. And the writs of Venire facias, which ſhall be awarded and directed for the impanelling of Iuries in the caſes aforeſaid, ſhall be in this forme: Regina &c. Præcipimus &c. quod Venire facias coram &c. duodecim liberos & legales homines de Vicineto de B.

Venire facias where each Iuror may diſpend iij.l. of freehold.

quorum quilibet habeat quatuor libras terræ, tenementorum, vel reddituum per annum ad minus, per quos rei veritas melius ſciri poterit, Et qui nec &c. and ſo forth the reſidue of the ſaid writ after the auncient forme. And vpon euery ſuch writ and writs of Venire facias, the Shirife or other miniſters to whom the making of the panell ſhall appertaine, ſhall not returne in any ſuch panell, any perſon, vnleſſe he may diſpend iiij. l. by the yeare at the leaſt of freehold out of auncient demeſne, within the Countie where the iſſue is to be tried, vpon paine to forf. for euery perſon being returned in any ſuch panel, that cannot diſpend iiij. l. freehold as is aforeſaid rr.s. 35. H.8.6. 2. Edw.6.32. 27. Eliz. 6. And in euery writ of Venire facias, wherein the ſaid clauſe (quorum quilibet &c. ſhall be omitted) the Shirife or other miniſter to whom the making of the panell ſhall appertaine, ſhall not returne in any ſuch panell any perſon, vnleſſe he may diſpend ſome lands or tenements, of eſtate of freehold, out of auncient demeſne, within the Countie where the iſſue is to be tried. And alſo ſhall returne in euery ſuch panell (viz. both where the ſaid clauſe quorum quilibet ſhall be inſerted, or omitted) ſixe ſufficient Hundreders at the leaſt, vpon paine to forfeit for euery perſon returned in any ſuch panell, that cannot diſpend ſome land by the yeare rr.s. and for euery Hundreder omitted rr.s. 35. H.8.6. 2. Edw.6.32. At, or vpon the triall of any iſſue ioyned in any perſonall action, no further challenge for the Hundred ſhall be admitted, if two ſufficient Hundreders do appeare, at, and vpon the triall of ſuch iſſue. Prouided neuertheleſſe, that all other challenges, principall, or for other cauſe, ſhalbe admitted, allowed, and tried, in ſuch order and forme, as if this Act had neuer bin made. 27. Eliz. 6. 35. H.8.6.

Venire facias where each Juror need not diſpend iiij. l.

Hundreders.

Two Hundreders ſuffice in a perſonall action.

20 Vpon euery firſt writ of Habeas corpora, or Diſtringas, with a Niſi prius, deliuered of record, the ſhirife or other miniſter or miniſters to whom the making of the returne ſhall appertaine, ſhall returne in iſſues vpon euery perſon impanelled & returned vpon any ſuch writ at the leaſt r.s. And at the ſecond writ of Habeas corpora, or Diſtringas, with a Niſi prius, vpon euery perſon impanelled and returned vpon any ſuch writ, rr.s. at the leaſt. And at the third writ of Habeas corpora, or Diſtringas, with a Niſi prius, that ſhalbe further awarded vpon euery perſon impanelled and returned vpon ſuch writ rrr.s. And vpon euery writ that ſhalbe further awarded to trie any ſuch iſſues, to double the iſſues laſt aforeſpecified, vntill a full Iurie be ſworne, or the proces otherwiſe ceaſed or determined, vpon paine to forf. for euery returne of iſſues contrary to the forme aforeſaid v. l. to the Quæne and I. to be recouered in any Court of Record by A.B. P.I. &c. wherein no W. E. P. &c. Prouided that this Act ſhall not extend to any Iuries or iſſues to be returned in any City or Towne corporat, or other towne or place priuiledged to hold plea, or in the rij. Shires of Wales, but that they ſhall and may be returned as heretofore they lawfully might haue bin, this Act &c. notwithſtanding. 27. Eliz. 6. 35. H.8.6.

What iſſues ſhal be returned vpon Iurors.

21 The Iuſtices ſhall not put in Aſſiſes or Iuries any other then were ſummoned to the ſame at the firſt. 13. E.1.30. And if any Shirife, Vnderſhirife, Bailife, or other miniſter do returne any perſon or perſons to be ſummoned to appeare in any Iurie wherin he ſhall for default of his appearance loſe or forf. any iſſues, where in truth ſuch perſon ſhall not be lawfully ſummoned: Then the ſame Shirife, Vnderſhirife, bailife, or other miniſter by whoſe default ſuch perſon ſhalbe returned, ſummoned, as aforeſaid, ſhall forf. loſe, & pay vnto the ſaid perſon & perſons ſo returned, double the value of the iſſues by ſuch Iuror or Iurors loſt or forf. for his default of apparance. 27. Eliz. 6. 35. H.8.6.

Iſſues returned vpon a Iuror not ſummoned.

22 If any Shirife, Vnderſhirife, Shirifes deputies, Shirife, or Vnderſhirifes Clarke, or any Bailife of Franchiſe, ſhall receiue, take, or haue by himſelfe, or by any other, any ſumme of money, reward, or other profit directly or indirectly,

Receiuing reward for not returning any Iuror.

rectly, or do take any promiſe, make an agreement, or aſſent to haue any ſumme of money, reward, or other profit directly or indirectly, of any perſon or perſons, for the ſparing, not warning, or not returning of any perſon to be ſworne a Juror, for the triall of any iſſue ioyned, or to be ioyned in any of the M. Courts aforeſaid (viz. the K. Bench, Common Pleas, & Exchequer) or before any Iuſtices: Then euery Shirife, Vndershirife, Bailife, &c. ſo offending, ſhall forfeit for euery ſuch offence x.l. to the K. and I. to be recouered in any Court of record, by A. B. P. I. &c. wherin no W. E. P. &c. 27. El. 6.

23 In euery writ of Habeas corpora, or Diſtringas, with a Niſi prius, where a full Iurie ſhall not appeare before the Iuſtices of Aſſiſes, or Niſi prius, or elſe after apparance of a full Iurie, by the challenge of any of the parties, the Iurie is like to remaine vntaken for default of Jurors: then the ſame Iuſtices, vpon requeſt made by the partie plaintife or demaundant, ſhall haue authoritie to commaund the Shirife, or other miniſter or miniſters, to whom the making of the ſaid returne ſhall appertaine, to name and appoint, as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid Countie then preſent at the ſaid Aſſiſes, or Niſi prius, as ſhall make vp a full Iurie, which perſons ſo to be named and impanelled by ſuch Shirife, or other miniſter or miniſters, ſhall be added to the former panell, and their names annexed to the ſame. And euery of the parties ſhal and may haue his or their challenge to the Jurors ſo named, added, and annexed to the ſaid former panell by the ſaid Shirife, or other miniſter or miniſters, in ſuch wiſe, as if they had bēn impanelled vpon the Venire facias, awarded to try the ſaid iſſue. And the ſaid Iuſtices ſhall and may proceed to the triall of euery ſuch iſſue with thoſe perſons that were before impanelled and returned, and with thoſe newly added and annexed to the ſaid former panell by vertue of this Act, in ſuch wiſe as they might or ought to haue done, if all the ſaid Jurors had bin returned vpon the writ of Venire facias, awarded to trie the ſaid iſſue. And all and euery ſuch triall had, ſhall be as good and effectuall in the law, to all intents and purpoſes, as if ſuch triall had bin had and tried by xy. of the Jurors impanelled and returned vpon the writ of Venire facias, awarded to trie ſuch iſſue. And in caſe ſuch perſons as the ſayd Shirife, miniſter or miniſters ſhall name and appoint, as is aforeſaid, or any of them, after they ſhall be called, be preſent and doe not appeare, or after his or their apparance, do wilfully withdraw him or themſelues from the preſence of the court: Then ſuch Iuſtices ſhall and may ſet ſuch fine vpon euery ſuch Juror, making default, or wilfully withdrawing himſelfe, as is aforeſaid, as they ſhall thinke good by their diſcretion, the ſaid fine to be leuied in ſuch maner and forme, as iſſues forfeited and loſt by Jurors for default of their apparance at the Common Law, haue bin accuſtomed to be leuied. And where any Iurie, that ſhall be returned by the Shirife, or other miniſter or miniſters, ſhall be made full by the commandement of the ſaid Iuſtices, by vertue of this Act, yet neuertheleſſe ſuch perſons as were returned in the ſaid panell by the Shirife, or other miniſter or miniſters, to trie any ſuch iſſue that ſhall not appeare, but make default, ſhall loſe the iſſues vpon them returned, in ſuch wiſe as though the ſame Iurie had remained for default of Jurors. 35. H. 8. 6. 2. Ed. 6. 32. A like Statute was made Anñ 5. Eliz. 25. That if a full Iurie ſhould not appeare before the Iuſtices of the great Seſſions in any of the xy. Shires in Wales, or in the Counties Palantine of Cheſter, Durham, or Lancaſter, or after apparance by challenge of any of the Jurors, the Iurie were like to remaine vntaken for default of Jurors: That then the ſaid Iuſtices, or their deputies, vpon requeſt of the plaintife or demaundant might commaund the Shirife, or other miniſters to appoint ſo many others of the ſayd Counties then preſent, as ſhould make vp a full Iurie. Et ſic de cæteris verbatim vt ſupra.

Tales at the plaintifes requeſt.

The Jurors making default, ſhall loſe iſſues.

Tales in Wales, Cheſter, Lancaſter, & Durham.

Tales in a ſuit vpon a penall ſtatute.

24 The Iuſtices of Aſſiſe, and Niſi prius, before whom any triall ſhal be made, by vertue of any writ of Habeas corpora, or Diſtringas, with a Niſi prius, where a full Iury ſhall not appeare, or, after apparance of a full Iury, by challenge the Iurie is like to remaine vntaken, for default of Iurors, ſhal haue authority vpon requeſt made for the Quéene her heires or ſucceſſors, by any authorized thereunto, or aſſigned by the Iuſtices of the Court, before whom the ſaid Enqueſt ſhalbe taken, or vpon requeſt to be made by the party that followeth, as well for the Quéene her heires & ſucceſſors, as for himſelfe, vpon any penall ſtatute, or his, or their atturney, to command the Shirife, or other miniſter or miniſters, to whom the making of the ſaid return ſhall appertaine, to name and appoint, as often as néed ſhall require, ſo many of ſuch other able perſons of the ſaid County then preſent at the ſaid Aſſiſes, or Niſi prius, and to adde and annere the names to the former panell, as ſhall make vp a full Iury of xij. men for the triall of euery ſuch iſſue. And all and euery clauſe, ſentence, article, and prouiſo compriſed in the ſaid former Act of 35. H. 8. ſhalbe taken, interpreted, and expounded, to giue the like & the ſame aduantage to the Quéene, her heires and ſucceſſors, and all ſuch perſon and perſons as ſhall purſue any action, bill, plaint, or information for the Quéene, her heires and ſucceſſors onely, or for her and the parties, as the party plaintife in any other action ſhould or might haue by vertue of the ſaid Act, in ſuch forme and condition, to all intents and purpoſes, as if ſuch actions or ſuites had béene particularly declared in the ſaid Act. 4. & 5. P. & M. 7.

Tales de circumſtantibus for the def.

25 In all caſes where the party plaintife or demaundant by any ſtatute heretofore made, may haue vpon his requeſt, made vnto the I. of Niſi prius, within England, or to the I. of Oyer, or of Aſſiſes of the xij. Shires of Wales, & of the counties Palantine of Lancaſter, Cheſter, & Durham, a Tales de circumſtantibus, in euery ſuch caſe, the parties tenants, actors, auowants, & defendants (if the plaintifes or demaundants ſhall vpon the calling of the principall panell or Iurie, forbeare or refuſe to pray the ſame) ſhal & may vpon their requeſt haue vpon the ſame record, & by the ſame Iuſtices, the Tales, or Taleſſes de circumſtantibus, vnto them granted, in like manner, forme, and degrée, to all reſpects, as the plaintife or demandant in any ſuit or action may haue the ſame, by any ſtatute or ordinance heretofore made or ſet forth. 14. El. 9.

Tales for the def. in popular actions.

26 And likewiſe the defendant ſhalbe admitted to pray and haue a Tales de circumſtantibus in all popular actions, informations, bils, or ſuits commenced or had in any of the Qu. Courts of Record, vpon any penall lawes or ſtatutes, wherein any perſon ſhall ſue, proſecute, or informe, as well for the Quéene, her heires & ſucceſſors, as for himſelfe, whereupon iſſue ſhall be ioyned, to be tried by the country. 14. Eliz. 9.

Iſſues in Attaint.

27 If the graund Iurie in Attaint appeare not vpon the firſt diſtreſſe had againſt them, ſo that the Iurie for their default do remaine, he that maketh default ſhall forfeit to the King vpon the firſt diſtreſſe xx. s. vpon the ſecond diſtreſſe xl. s. and after making default, for euerie default v. l. and the like forf. ſhall they make which be named in the Tales, 23. H. 8. 3. 13. Eliz. 25. And if any of the Iurors of the graund Iurie impanelled and ſummoned in the Courts within the Citie of London, at the ſummons make default, ſo that the Attaint remaineth to bée taken for default of Iurors, then euerie of the ſame Iurors ſo making default, ſhall forf. for the firſt default xl. s. and at the ſecond default v. l. and at euerie default after that x. l. and like proces ſhall be made and ſued there againſt the graund Iurie and the petie Iurie, and the partie and parties, as is to be made and ſued in Attaint ſued at the common Law. And the ſame proces ſhall be made returnable at euerie Huſtings of Common plées, & the Attaint ſhal not remain to be taken after the firſt ſummons returned, for, or by the default of the def. or tenant, defendãts or tenants,

Iſſues in Attaint ſued in London.

or

or of any of the petit Iurie named in the same Attaint by this Act ordeined. And the penalties forfeited by any of the said graund Iurie, shall be leuied to the vse of the Maior and Comuninalty of the said city, wherein no P. or E. shalbe allowed &c. 11.H.7.21.

28 Vpon a reasonable excuse for default of payment of any Iuror sufficiently proued before the Iustices of Assises, or Nisi prius, at the day of their apparance, by the Oath of two lawfull and honest witnesses, the said Iustices shall haue authoritie by their discretions to discharge euery such Iuror of euery such forfeiture of issues vpon him returned. And the Shirife or other minister hauing commaundement by the said Iust. to omit the returning of such issues as is aforesaid vpon such Iuror or Irors, shall be therein discharged of the penalties aforesaid for the non-returning of the said issues: And yet notwithstanding the said returne shall be good and effectuall in the law, any law, custome, &c. notwithstanding. And if the said I. before whom any such Iurie should appeare in the Countie where such issue is to be tried by vertue of a writ of Nisi prius, do not come at the day & place appointed, but that the same Assise or Nisi prius for that time shalbe discontinued for not comming of the said Iustices, or for any other occasion, other then by default or lacke of Irors: Then euery one of the said Irors shall be discharged for forfeiting of any issues vpon him returned in the same writ. And the Shirife or other minister shalbe likewise discharged of the penalties of this Statute, for the not returning of such issues as therein are limitted: any article or Statute herein contained &c. notwithstanding. 35.H.8.6. 2.Ed.6.32. A like braunch of a statute was Añ 5. Eliz. 25. for the authoritie of the Iustices, or their deputies, to discharge any Iuror of his default of apparance at the great Sessions in the ry. Shires in Wales, or in the Counties Palantine of Chester, Durham, or Lancaster. Et sic de cęteris verbatim, vt supra.

Irors discharged of their issues vpon cause.

Not comming of the Iustices.

Iustices in wales, Chester, Lăcaster, & Durham.

29 In all manner of Enquests & prowes which be to be taken or made amongst Aliens and Denizens, be they Marchants or others, as well before the Mayor of the Staple, as before any other Iustices or ministers, although the King be party, the one halfe of the Enquest or prowe shall be of Denizens, and the other halfe of Aliens, if so many Aliens be in the towne or place where such Enquest or prowe is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarrels, wherof such Enquests or prowes ought to be taken. And if there be not so many Aliens, then shall there be put in such Enquests or prowes, as many Aliens as shalbe found in the same townes or places, which be not therto parties, nor with the parties as afore is said, and the remnant of Denizens, which be good men, and not suspitious to the one partie, nor to the other. 27.Ed.3.8. 28.Ed.3.13. 2.H.5.3. 8.H.6.29.

In Enquest shalbe de Medietate linguæ, where an Alie is partie.

30 But if it happen any outlandish person, calling himselfe an Egyptian, or any such stranger, to cõmit within this realme any murder, robberie, or felony, & therof be indicted & arraigned, & do plead not guilty, or any other plea triable by the countrey, then the Enquest that shal passe betwæn the K. & such party, shalbe altogether Englishmen. 22.H.8.10. And in like sort shal the Enquest be, where any of the said Egyptians is indicted of felony for continuance within this realme by the space of one moneth. 1.& 2.P.& M.4. 5.El.20.

Egyptians.

31 No Iurie shall be compelled to appeare in any of the Qu. Courts at Westminster, for the triall of any issue in any suit, vpon any penall Law, for any offence committed aboue 30. miles from the city of Westminster, except in case where the Atturny generall for the time being, for some reasonable cause in ỳ behalfe shewed, shall require the same to be tried at the Barre in any of the Courts of the Q. Maiesty, her heires or successors, at Westminster aforesaid, which request shal be noted on the backside of the writ of Distringas thereupon awarded, to the end the shirife

where Iuries shall not be compelled to appeare at Westminster.

or

or his bailife may & ſhal ſignifie the ſame to the Iury that are in ſuch caſes impanelled. 18. El. 5. 27. El. 10.

The Iurie may giue their verdict at large.

32 The I. of Aſſiſe ſhall not compell the Furors preciſely to ſay that it is a diſſeiſin, or not, ſo they will declare the truth of the matter, & require the I. helpe. But if they willingly ſay, that it is a diſſeiſin, or not, their verdict ſhalbe receiued at their owne perill. Weſtm 2. 13. Ed. 1. 30.

No Furor returned without addition of his dwelling place.

33 No Shirife, Coroner, or other perſon to whom it ſhall appertaine to make returne of any writ, ſhall returne any Furor dwelling out of libertie, without the true addition of the place of his dwelling, or abode, at the time of the ſaid returne, or within one yeare next before the making of any ſuch returne, or ſome other addition, by which the party returned may be knowne: Nor any Furor within any libertie, with other addition, then ſuch, as ſhall be deliuered to him by the Bailife of the ſaid libertie, or his deputie, certified vnder his or their hand: Nor any Bailife of any libertie, nor any his or their deputie or deputies, ſhall of himſelfe returne any Furor, or deliuer to the Shirife, his vndershirife, deputy, or deputies, the names of any perſons to be returned vpon any panell or Iury, without the true addition certified vnder his or their hands to the Shirife of the place of dwelling or abode of euery perſon ſo to be returned, at the time of the ſaid returne, or within one yeare next before the ſaid returne, or ſome other addition, by which the partie returned, may be knowne. 27. El. 7. 39. El. 18.

In euery Extract of iſſues againſt a Furor, his addition ſhalbe put.

34 No extract of iſſues, againſt any Furor returned, as afore ſaid, ſhal be deliuered out, receiued, or put in vre without ſuch addition as is put in the originall panel or Tales, wherein ſuch Furor ſhalbe ſo returned. And no vndershirife, bailife, or other officer, or perſon whatſoeuer, ſhall collect, leuie, or gather any iſſues ſo extreated, of any other perſon or perſons, then of ſuch perſon & perſons, as by vertue of the ſaid extreat, is of right charged, or chargeable, with the payment of the ſaid iſſues, vpon paine that euery Clarke that ſhall write, or deliuer, or cauſe, or procure any ſuch extreat to be deliuered out, receiued, or put in vre, and euery other perſon offending contrary to the intent and meaning of this Act, ſhall forfeit to the Queen, her heires and ſucceſſors, iij. l. vj. s. viij. d. and to the P. grieued, or which ſhall ſuſtaine any loſſe thereby, iij. l. vj. s. viij. d. to be recouered by A. B. P. or I. in any Court of record, wherein no W. E. P. ſhal be allowed. 27. Eliz. 7. 39. Eliz. 18. S. Iuſtice of Peace 99.

35 In all actions triable in any of the K. Courts at Weſtminſter by Furors of the County of Middleſex, at the iij. day after the returne, the Furors ſhalbe called, & notwithſtanding that the plaintife or def. make default, or be eſſoined, the appearance of them or any of them ſhalbe recorded & entred by the Court, & they ſhall not be amerced, nor loſe any iſſues. Euery default, eſſoine, & other delay of any perſon plaintife or def. in any perſonal action heretofore vſed, by this ordinance ſhal not be preiudiced, nor taken away, but to be adiudged, adiourned, & allowed, in as ample forme as they were before the making of this Statute. 8. Ed. 4. 3.

1 Iuries taken by the Marſhall of the Kings houſe, ſhal be of the countrey thereabout. S. Marſhall 4.

2 A Iurie charged to inquire of treſpas committed within a Forreſt, ſhall giue their verdict where they receiued their charge. S. Forreſts 7.

3 Of what ſufficiencie Iurors returned to inquire of Riot, Rout, or vnlawfull aſſembly ought to be. S. Riots 7. 15.

4 Of what ſufficiencie Iurors returned in Attaint ought to be. S. Attaints 1. 6. 7. 14. 21.

5 Where the Iurie ſhalbe de Medietate linguæ. S. Attaint 21.

6 Where Iurors may be impanelled in one Countie to inquire of any thing, or matter in another. S. Attaint 7.

7 What

7 What Iurors ſhal be impanelled for the triall of him which felonioufly imbeaſileth a record. S. Felonie 18.

8 Where a Iurie ſhall be taken for an Infant, as though hee were of full age. S. Age 2.

9 Within what time panels of Aſſiſes ſhalbe arraied, and copies deliuered to the parties. S. Aſſiſe 8.

10 Where a Tales ſhalbe awarded into another Countie, then where the iſſue is to be tried. S. Attaint 7.

11 A Bayliſe ſhalbe appointed for the keeping of a Iurie in Wales, and the puniſhment of thoſe Iurors there, which do wrongfully acquite any Felon or Murderer. S. Wales 114. 115.

Iuſtices of both the Benches, of Aſſiſe, Gaole deliuerie, and of Niſi prius.

YOu ſhall ſweare, That well and lawfully you ſhall ſerue our Soueraigne Lord the King, and his people, in the office of Juſtice, and that lawfully you ſhall counſell the King in his buſineſſe, and that you ſhall not counſell, nor aſſent to any thing which may turne him in dammage or diſheriſon, by any manner way or colour. And that you ſhall not know of any dammage or diſheriſon of him, whereof you ſhall not warne him by your ſelfe, or ſome other. And that you ſhall doe equall Law, and execution of right to all his Subiects, rich, and poore, without hauing regard to any perſon. And that you take not by your ſelfe, or by other, priuily or openly, gift or reward of gold or ſiluer, nor of any other thing, which may turne to your profit, vnleſſe it be meat or drinke, and that of ſmall value, of any man that ſhall haue any plea or proces hanging before you, as long as the ſame proces ſhall be ſo hanging, nor after for that cauſe. And that you ſhall take no fée as long as you ſhall be Juſtice, nor roabes of any man great or ſmall, but of the King himſelfe. And that you giue none aduice nor counſell to any man, great or ſmall, in no caſe where the King is partie. And in caſe that any (of what eſtate or condition they be) come before you in your Seſſions with force and armes, or otherwiſe againſt the peace, or againſt the forme of the Statute thereof made, to diſturbe execution of the common Law, or to menace the people that they may not purſue the Law, that you ſhall cauſe their bodies to be arreſted and put in priſon. And in caſe they be ſuch that you cannot arreſt them, that you certifie the King of their names, and of their offence ſpédily, ſo that he may therof prouide conuenient remedie. And that you by your ſelfe, nor by other priuily, nor openly maintaine any plea or quarrell depending in the K. Court, or elſewhere in the Countrey. And that you denie to no man common right, by the Kings letters, or any other mans, nor for any other cauſe: And in caſe any letters come to you contrarie to the Law, that you doe nothing by ſuch letters, but certifie the King thereof, and proceéd to execute the Law, notwithſtanding the ſame Letters. And that you ſhall doe and procure the profit of the King, & of his Crowne, in all things, where you may reaſonably effect the ſame. And in caſe you ſhall be from henceforth found in default in any of the points aforeſaid, you ſhalbe at the Kings will, of body, lands, or goods, to be done therewith as ſhall pleaſe him, So helpe you God and all Saints. 18. Edw. 3. The Iuſtices Oath.

2 Anno 20. Ed. 3. 1. 2. The effect of the ſame Oath is commaunded, confirmed, and enacted, And further it is there ordeined, That the Barons of the Exchequer ſhall do right and reaſon to all the K. ſubiects great and ſmall, and ſhall deliuer the people reaſonably without delay of the buſineſſe which they haue to doe before them, without vndue tarying. And moreouer it is there enacted, That Barons of the Exchequer

Iuſtices

Iuſt. of Oier & determiner.
Iuſt of Aſſiſe. J. of Gaole deliuerie.

Iuſtices aſſigned by Commiſſion to heare and determine, and ſuch as ſhall be aſſociate to them, And alſo Iuſtices of Aſſiſes to be taken in the Countrey, and of Gaole Deliuerie, and ſuch as ſhall be aſſigned and aſſociat to them, ſhall firſt make ſuch an Oath in all points, accoꝛding as to them ſhall be inioyned by the Kings Councell, oꝛ in the Chauncerie, beſoꝛe ſuch Commiſſion ſhall be deliuered vnto them.

J. of Aſſiſe & gaole deliuerie

3 Good and diſcreet perſons (other then of the places, if they may be found ſufficient) ſhall be aſſigned in all the Shires in England to take Aſſiſes, Iuries, and Certifications, and to deliuer the Gaoles. And the Iuſtices aſſigned to deliuer the Gaoles ſhall haue power to deliuer the ſame Gaoles of thoſe that ſhall be indicted beſoꝛe the Gardeins of the Peace, And the ſaid Gardeins ſhall ſend their Inditements beſoꝛe the Iuſtices, and they ſhall haue authoꝛitie to inquire of Shiriſes, Gailoꝛs, and other, in whoſe ward ſuch indicted perſons ſhall be, if they make deliuerance, oꝛ let to mainpꝛiſe any ſo indicted which be not mainpernable, and to puniſh the ſaid Shiriſes, Gailoꝛs, and other offending againſt this Act. 4. Ed. 3. 2. And that which cannot be determined beſoꝛe the Iuſtices of the one Bench, oꝛ the other, vpon the Niſi prius, foꝛ the ſhoꝛtneſſe of time, ſhalbe adiourned into the place whereof they be Iuſtices, and there be determined as right & reaſon ſhall require. 4. Edw. 3. 11.

No man ſhall ſit with the J. of Aſſiſes.

4 No Loꝛd, oꝛ other of the countrey, great oꝛ ſmall, ſhall ſit vpon the bench with the J. of the Aſſiſe in their Seſſions, in any of the Shires of England, vpon paine of a great foꝛf. to the King, neither the Iuſtices ſhall ſuffer the contrary to be done. 20. R. 2. 3.

No man ſhall be Iuſtice of Aſſiſe in his own Countie.

5 No Iuſtice, noꝛ other man learned in the Lawes of this Realme, ſhall vſe noꝛ exerciſe the office of J. of Aſſiſe, within any county where he was boꝛne oꝛ doth inhabite, vpon paine to foꝛf. foꝛ euery offence done contrary to this Act, 100. l. to the King and J. to be recouered by A. J. &c. wherein no W. E. P. But this Act doth not extend to any clerke of Aſſiſes aſſociat to any Iuſtice of Aſſiſe, foꝛ he may exerciſe the office of Clerkeſhip of Aſſiſe in any Countie, citie, oꝛ towne, where he doth dwell, oꝛ was boꝛne: Neither doth this act extend vnto the Iuſtices, Iuſtice clerks oꝛ Clerke of Aſſiſes within the D. Duchie and County Palantine of Lancaſter, noꝛ to the J. of the one Bench oꝛ the other, foꝛ taking, hearing, oꝛ determining Aſſiſes in the ſaid Courts, noꝛ to any Iuſtice that ſhall take any Aſſiſe by oꝛ vpon adiournmẽt foꝛ difficulty of the ſame, noꝛ to any Maioꝛs, Shiriſes, Recoꝛders, Stewards, Bailifes, Sutoꝛs, oꝛ other officers in any citie, boꝛough, oꝛ towne, but they may be J. of Aſſiſe of freſh foꝛce, & of other Aſſiſes, in the ſame city, boꝛough, oꝛ town, where he oꝛ they doe dwell, oꝛ were boꝛne, as they might haue bẽne beſoꝛe. 33. H. 8. 24. 8. Rich. 2. 2.

where Iuſtices ſhall keepe their Seſſions

6 Iuſtices of Aſſiſe & Gaole deliuerie ſhall keepe their ſeſſions in the pꝛincipall & chiefe townes of euery county, viz. where the countie courts of the ſame Counties be holden, oꝛ ſhalbe holden, 6. R. 2. 5. But the Chancelloꝛ of England ſhall haue authoꝛity with the aduice of the J. to remedy the ſame from time to time, when nẽde ſhalbe, 11. R. 2. 11. And the Seſſions of the J. of Aſſiſe & gaole deliuerie within the county of Cumberland ſhalbe holden in the time of peace & truce in the city of Carlile, & in none other place. 14. H. 6. 3.

Iuſtices of Niſi prius ſhall deliuer the Gaole.

7 The Iuſtices beſoꝛe whom inquiſitions, enqueſts & iuries ſhall be taken by the D. wꝛit called Niſi prius, accoꝛding to the foꝛme of the ſtatute theroꝛ made, haue power of all the caſes of felonie, and of treaſon, to giue their Iudgements, as well where a man is acquit of felony oꝛ of treaſon, as where he is thereof attained, at the day and place where the ſaid inquiſitions, enqueſts and iuries be ſo taken, and thẽ from thenceforth to award execution to be made by foꝛce of the ſame iudgements. 14. H. 6. 1.

1 What ſuites commenced before Iuſtices of Aſſiſe ſhall not be diſcontinued by death, new commiſſion, aſſociation, or not comming of the Iuſtices. S. Diſcontinuance 2. 6.

2 New Iuſtices of Gaole deliuerie haue authoritie to giue iudgement againſt a priſoner found guiltie, and repriued. S. Diſcontinuance 5.

3 Iuſtices of Aſſiſe and Gaole deliuery may inquire of ſeuerall offences prohibited by ſeuerall Statutes. S. Iuſtices of Peace.

S. 1. Ed. 3. 7. 9. Ed. 3. 5. 20. Ed. 3. 6.

Iuſtice and Right.

Iuſtice ſhal be ſold, deferred, or denied to no man: Neither ſhall any man be condemned but by lawfull triall, Magna Charta. 9. H. 3. 29. No man ſhall be attached, nor foreiudged of life, lands, or goods, againſt the forme of the great Charter, and the Law of the Realme. 5. Ed. 3. 9. The Iuſtices of any Bench, or Court whatſoeuer, ſhall not let to doe, or execute the Common Law, for any commaundement which ſhall come vnto them, vnder the great Seale, or priuie Seale. 2. Edw. 3. 8. 5. Ed. 3. 9. *Iuſtice ſhal be done to all.*

2 No perſon to whom any order or cauſe ſhalbe committed, or referred by any of the K. Iudges or Courts at Weſtminſter, or any other Court, ſhall directly or indirectly, or by any art, ſhift, colour, or deuice, haue, take, or receiue any money, fee, reward, couenant, obligation, promiſe, agreement, or any other thing, for his report or certificat by writing, or otherwiſe, vpon paine of forfeiture of 100. *l.* for euery ſuch report or certificat, and to be depriued of his office and place in the ſame Court: The one moitie of the ſaid forf. to be to the K. his heires & ſucceſſors: The other moity to the party grieued which will ſue for the ſame at any time during the ſaid ſute, or within one yeare after the ſame cauſe diſcontinued or decréd: & in his default of ſuch ſute, to him or them that will ſue for the ſame by W. B. P. or I. in the Starre chamber, or any of the K. Courts of record at Weſtminſter, in which ſute by W. B. P. or I. no W. E. P. S. P. or any other delay ſhall be admitted. 1. Iacob. 10. *Nothing ſhall be taken for Report.*

3 Prouided neuertheleſſe, that it ſhalbe lawfull for the Clarke to take for his paines for writing of euery ſuch report or certificat xij. d. for the firſt ſide, & v. d. for euery ſide after, and no more, vpon paine to forfeit v. s. for euery penie taken ouer and beſide the ſaid ſumme, to be had and recouered as aforeſaid. 1. Iacob. 10. S. 28. Edw. 1. 5. *The Clarke.*

Iuſtices of Peace.

In euery Countie of England, good and worthy men, which be no maintenors of euill, nor Barretors in the Countrey ſhalbe aſſigned to keepe the Peace. 1. E. 3. 16. Two or three of the moſt worthy men of Counties ſhall be aſſigned keepers of the Peace by the K. Commiſſion. And at what time need ſhall be, the ſame with other wiſe and learned in the Law ſhalbe appointed by the K. Commiſſion to heare & determine Felonies & Treſpaſſes done againſt the Peace in the ſame Counties, and to execute puniſhment reaſonably, according to law, reaſon, and the manner of the fact. 18. Ed. 3. 2. 17. R. 2. 10. which Iuſtices ſhall be aſſigned (of the Lords, 34. E. 3. 1.) and the moſt worthy & ſufficient Knights, Eſquires, & men learned in the Law of the ſame counties, 13. R. 2. 7. by the aduice of the Chancelor, and the Kings Councell, without taking other perſons dwelling in forreine ſhires to execute the ſame office, except Lords & I. of All. & the K. chiefe ſtewards of his Duchie lands in the North & South parts for the time being. 2. H. 5 1. And the I. of P. of euery ſhire, named *Who ſhalbe I. of Peace.*

Iustices shall be resident within ỹ shire.

named of the Quorum, shalbe resident within the same shire, except Lords named in the Commission of the Peace, and also except the I. of the one Bench & the other, the chiefe Baron of the Exchequer, Serieants at the Law, & the K. Atturney, for the time that the same Iustices, chiefe Baron, Serieants at the Law, & the K. Atturney be attending & occupied in the K. Courts, or otherwise in some other place occupied in the K. seruice. 2.H.5.4.

Bishop of Ely.

2 The Bishop of Ely and his successors, and their temporall Stewards of the Isle of Ely for the time being, shalbe I. of P. within the said Isle, & shall vse within the same Isle all things that do belong to any I. of Peace, within any Countie of this Realme. And so shall the bishop of Durham &c. and his temporal Chancellor of the County Palantine of Durham, be I. within the same county &c. And in like sort shall the Archbishop of Yorke, &c. and his temporall Chancellor of the Shire and libertie of Yeram, called Yertoldsham, be Iustices within the same Shire. 27.H.8.25.

Durham.

Yorke.

Of what liuing I. of P. ought to be.

3 No man shalbe appointed I. of the Peace in any countie, if he haue not lands or tenements to the value of xx.l. by yeare, & if any man be ordained I. of Peace in any County, which hath not lands & tenemẽts to the said value, he shal giue knowledge thereof to the Chancellor of England, which shall put another which is sufficient in his place, and if he do not giue notice thereof within one moneth, after hee hath knowledge of the same commission, or if he sit or make any warrãt or precept by force of such commission, he shalbe put out of that commission, & also shall forfeit xx.l. to the K. and I. to be recouered by action of debt at the common law. But this statute doth not extend to cities, townes, or boroughes, which be counties incorporat of themselues, nor to cities, townes, or boroughes, which haue I. of Peace of any persons dwelling therein by the commission or graunt of the King or any of his progenitors. And if there be not sufficient persons learned in the law, & of good gouernance in the same county, hauing lands & tenements to the value aforesaid, the Chancellor of England by his discretion may put other persons learned in ỹ law in such commissions, though they haue not lands or tenements to the value aforesaid. 18.H.6.11.

Iustices oath.

4 Iustices of Peace shalbe sworne, duely and without fauour to keepe and put in execution all Statutes and Ordinances touching their offices. 13.R.2.7. And euery Iustice of Peace, before he shall take vpon him, or be allowed to exercise the same office, shall take and pronounce a corporall oath vpon the Euangelists, for the maintenance of the Qu. iurisdiction ouer all estates, and for the abolishing of forraine powers repugnant to the same. 1.Eliz.1. For the forme of the Oath. S. Crowne 4.

Qu. Sessions

5 Iustices of Peace shall hold their Sessions foure times in the yeare, that is, the first weeke after the feast of S. Michael, the first weeke after the Epiphanie, in the first weeke after the clause of Easter, and the first weeke after the translation of S. Thomas the Martyr, and more oft if need be. And the same Iustices shall hold their Sessions through the realme of England in euery of the aforesaid weeks yearely. 2.H.5.4. Euery of which foure Sessions the said Iustices shal hold by the space of iij. daies, if need be, vpon paine to be punished by the aduice of the Kings Councell, at any mans suit which will complaine. But the Iustices of the one Bench, or the other, or the Serieants of the Law, where they be in Commission of the Peace, are not bound to keepe the Sessions foure times in the yeare, as other Commissioners, which bee continually dwelling in the Countrey, but they shall doe it when they may well intend it, 12.Rich.2.10. And Iustices of Peace of the Countie of Middlesex are discharged of the said penaltie, for not keping Sessions foure times in the yeare (the Court of the Kinges Bench sitting in the same Countie.) But the Iustices of the sayd Countie

Iust. of peace of Middlesex.

of

of Middleſex ſhall kéepe their Seſſions twice in the yeare at the leaſt, and moꝛe often if néed bée, foꝛ any Riot, oꝛ Foꝛcible entrie made within the ſame Countie, vpon the paines and foꝛfeitures by Law foꝛ ſuch offences pꝛouided. 14. H. 6. 4.

6 Euerie Iuſtice of Peace ſhall take foꝛ his wages iiij. s. a day during the time of their Seſſions, and their Clerkes ij. s. of the fines and amerciaments riſing and comming of the ſame Seſſions, by the hands of the Sherife 12. R. 2. 10. But no Duke, Earle, Baron oꝛ Baronet, being Iuſtices, & kéeping the Seſſions, ſhall take any wages foꝛ the ſame office. 14. R. 2. 11. Iuſt. wages

7 Iuſtices eſtreats ſhalbe double, and one part ſhalbe deliuered by them to the Sherife, to leuie the money thereof riſing, and to pay to the Iuſtices their wages by the Sherifes hand, by indenture made betwixt them: And the Iuſt. ſhall put their name to the ſaid eſtreats, with the number of the dayes of their Seſſions, that the Sherifes may know to whom to pay wages, and to whom not, And the Barons of the Exchequer, whom to allow, and whom not. 14. R. 2. 11. Eſtreats.

8 The Iuſtices of peace, oꝛ thꝛée of them at the leaſt, whereof one to bee of the Quorum, in euery Shire of this Realme and Wales, and all other places within the Kings dominions, haue authoꝛity to take infoꝛmation by the depoſition of two honeſt and lawfull perſons at the leaſt, And after to inquire by the othes of twelue men in euerie their foure Quarter Seſſions, of all and ſingular accuſations and infoꝛmations made of any the offences pꝛohibited by the ſtat. pꝛouided 1. Edw. 6. againſt ſuch as ſhall ſpeake vnreuerently againſt the Sacrament of the bodie and blood of Chꝛiſt &c. and foꝛ the receiuing thereof vnder both kinds within the limits of their commiſſion. And vpon euery ſuch accuſation and infoꝛmation the offendoꝛ ſhalbe enquired of, and indicted befoꝛe the ſaid Iuſt. of peace, oꝛ thꝛée of them at the leaſt, of the ſaid contempts and offences, by the verdict of twelue men, if the matter of the ſaid accuſation & infoꝛmation ſhall ſéeme to the ſaid Iury good & true. And the ſaid I. of P. oꝛ thꝛée of them at the leaſt, befoꝛe whom any ſuch pꝛeſentment, infoꝛmation, and accuſation ſhalbe made, ſhall examine the accuſers, what other witneſſes were pꝛeſent at the committing of the ſaid offence, and how many others then the accuſers haue knowledge thereof, and haue authoꝛity by their diſcretions to bind by recogniſance, as well the ſaid accuſers, as all ſuch other perſons, whom the accuſers ſhall declare to haue knowledge of the offences by them pꝛeſented and infoꝛmed, euerie of them in v. l. to the K. to appeare befoꝛe the ſaid Iuſtices, beſoꝛe whom the offendoꝛ ſhall bée tried, at the day of his triall and deliuerance. And the Iuſtices of Peace, oꝛ thꝛée of them at the leaſt, haue authoꝛitie to make Pꝛoces againſt euerie perſon ſo indicted, by two Capias and Exigent, and by Capias vtlagatum, as well within the limits of their Commiſſion, as into all other Shires and places of this Realme, Wales, and other the Kings Dominions, as well within liberties as without, and the ſame Pꝛoces ſhall bée good in the Law to all intents, and vpon the apparance of the offendoꝛ, they haue authoꝛitie to determine the ſaid offences, accoꝛding to the Lawes of this Realme, and effect of this Act. And alſo they haue authoꝛitie to let any perſon ſo indicted, by their diſcretions, to baile foꝛ his apparance, to bée tried accoꝛding to the tenoꝛ of this Act. And the ſaid Iuſtices of Peace, oꝛ thꝛée of them at the leaſt, at their Quarter Seſſions, where any offendoꝛ ſhall be indicted of any of the offences afoꝛeſaid, ſhall award a Wꝛit in the Kings name, to the Biſhop of the Dioces, wherein the offence is ſuppoſed to be done, requiring him to be in his owne perſon, oꝛ by his Chauncelloꝛ, oꝛ other his ſufficient Deputie learned, at the Quarter Seſſions in the ſaid Countie to bée holden, when and where the offendoꝛ ſhall bée arraigned and tried, appointing in the ſaid Wꝛit the day and place of the arraignment, which wꝛit ſhall be of this foꝛme: Iuſtices authoꝛitie, and what things they are to inquire of. Vnreuerent ſpeaking againſt the Sacrament.

A writ to the Bishop.

Iacobus &c. Epo. Salutem. Præcipimus tibi quod tu, Cancellarius tuus, vel alius Deputatus tuus sufficienter eruditus, vnus cum Iusticiarijs nostris ad pacem, in Com̃ nostro B. conseruand' assignat' apud D. tali die, ad Sessionem nostram adtunc & ibidem tenendam, ad dandum consilium & aduisamentum eisdem Iusticiarijs nostris ad pacem, super arrainment & deliberationem offendent̃, contra formam Statuti concerñ sacrosanctum Sacramentum Altaris. But no person shall bee indicted of any contempts or offences aforesaid, but onely of such as shalbe done within three moneths next after the offence committed. But in all trials for any such offendors before the said Iustices, the person complained on, and arraigned, shalbe admitted to purge or trie his innocencie, by as many or moe witnesses in number, and of as good honestie and credence, as the witnesses be, which be deposed against him. 1. E. 6. 1. 1. El. 1. S. Sacraments 1.

Maintaining the authoritie of the Bishop of Rome.

9 Iustices of Assise in their circuits, and Iustices of Peace within the limits of their commission, or two of euery such Iust. of P. at the least (whereof one to be of the Quorum) shall haue authoritie in their Quarter Sessions, to enquire of all offences, contempts, and transgressions, committed by any person resiant within any of the Q. dominions, or vnder her power, which shall by writing, cyphering, printing, preaching, or teaching, aduisedly and wittingly stand with, ertoll, maintaine, or defend the iurisdiction or power of the Bishop of Rome, or his Sea, heretofore claimed &c. or shall attribute any such Jurisdiction or prehemincnce to the said Sea of Rome, or to any Bishop thereof, in like maner, as they may of other offences against the Q. peace. And shal certifie euerie presentment before them or any of them had, or made, concerning the same, or any part thereof, into the Kings Bench, within fortie dayes next after any such presentment made, if the Terme be then open: And if not, at the first day of the full Terme next following the said fortie dayes, vpon paine that euerie of the said Iust. of Assise, or Iust. of Peace, before whom such presentment shalbe made, making default of such Certificat, to forfeit for euerie default to the Quœne, her heires and successors, one hundred pounds. 5. El. 1. S. Rome 1.

Recusants.

10 All and euerie offences committed against the Act prouided Anno 23. Eliz. (to retaine the Quœnes subiects in their due obedience) or against the Acts of the 1. 5. or 13. yeares of her raigne, touching acknowledging of her supreame gouernmẽt in causes Ecclesiastical, or other matters, touching the seruice of God, or comming to Church, or establishment of true Religion within this Realme, shall and may be inquirable as well before Iustices of peace, as other Iustices named in the same Statutes, within one yeare and a day after euery such offence committed. And Iustices of Oyer and Terminer, and Iustices of Assise, and of Gaole Deliuerie, in their seuerall limits, haue power to enquire, heare, and determine of all offences against this Statute. And Iustices of Peace in their open Quarter Sessions of Peace, haue power by vertue of this Act to enquire, heare, and determine of all offences against this Act (except Treason, and Misprision of Treason) 23. Eliz. 1. S. Rome 2. &c. Sacraments 10. Recusants 1. &c. For the authoritie of Iustices of Assise, Gaole Deliuerie, and Peace, touching Recusants. S. 3. Iacob. 4. Recusants 42. 53.

Preachers.

11 All and singular Iust. of P. Iust. of Assise, Iust. of Oyer and Determiner, and all and singular Maiors, Bailifes, and Iust. of peace, within any Citie, Borough, or Towne corporat, within any parts of this Realme, within the limits of their Commissions, haue authoritie to enquire of all and singular offences and misdemeanors committed contrary to the Stat. prouided 1. Ma. against offendors of Preachers, and other Ministers of the Church, and to heare and determine the same, and to set fines and amerciaments of the said offendor, as in the said statute is limited. 1. M. 3. S. Preachers 1. &c.

12 Iuſtices of peace haue authority within the limits of their Commiſſions to heare and determine the offence of Buggerie, as they do in caſes of other felonies. 25.H.8.6. 5.Eliz.17.S.Buggerie. Buggerie.

13 All offences to bee done or committed, contrarie to the true meaning of the Act made An.4.Iac.to reſtraine the vtterance of Beere and Ale, to Alehouſe keepers and Tiplers not licenced, and all penalties therin contained, ſhalbe inquired of, ſued for, heard and determined, in the Seſſions of the Peace for the Countie, Citie, or Borough, Towne, or Libertie, or in the Court of Record of the Citie, Borough, Towne, or Libertie, wherein ſuch offence ſhalbe committed, by A.I. or P. wherein no C.P. or &c. ſhalbe allowed. 4.Iac.4. S.Alehouſes 11.

14 Iuſt. of P. haue power to enquire, heare, and determine the offences of all Souldiers muſtering and receiuing the Kings wages, which do depart from their Captaine within their terme, without licence, as they do and may in other caſes of Felonie. 18.H.6.19. 2.Ed.6.2. S.Captaine 3. Felonie 23. Souldiers.

15 Iuſtices of Oyer and Terminer, Iuſt. of Gaole deliuerie, and Iuſt. of P. in euerie Shire within the K. dominions, haue authoritie to enquire of euery perſon offending contrarie to the Statute prouided againſt carrying ouer ſea, Rams, Lambs, and other Sheep aliue, and to heare and determine euerie offence committed contrarie to the effect of the ſame, according to the courſe of the Lawes of the Realme. 8.Eliz.3. S. Sheepe 1. Tranſporting of Sheepe.

16 At euerie ſuch time as any information ſhall bee made of any vnlawfull hunting by night, or with painted faces, in any Foreſt, Parke, or Warren, to any of the Kings Counſell, or to any Iuſtice of peace of the Countie where ſuch hunting ſhalbe, of any perſon ſuſpected thereof, it ſhall bee lawfull to any of the ſame Counſell, or Iuſtice of peace, to whom ſuch information ſhall be made, to make a warrant to the Sherife, or to any Conſtable, Bailife, or other Officer of the ſame Countie, to arreſt and take the ſame perſon, to haue him before the maker of the ſame warrant, or any other of the K. Counſell, or Iuſt. of peace of the ſame Countie: And the Counſellor or Iuſtice before whom ſuch perſon ſhalbe brought, ſhall haue power to examine him of the ſaid hunting, and of the doers thereof, and if hee conceale the offence, or any offendor, it is felonie, and if he confeſſe the truth, and al that he ſhalbe examined of and knoweth in that behalfe, then the offence of hunting by him done, ſhalbe againſt the King but treſpaſſe finable, to be aſſeſſed at the next generall Seſſions by the Iuſtices there. And if any Reſcous, or diſobedience bee made to any perſon, hauing authoritie to do execution or Iuſtice by any ſuch warrant, by any perſon which ſhould be arreſted, ſo that execution of the ſame warrant thereby be not had, then the ſame reſcous and diſobedience ſhalbe felonie, and the ſame felonie ſhalbe enquired of and determined, as other Felonies beene. 1.H.7.7. S.Foreſts 1. Hunting with Villors.

17 The Iuſtices of peace of the Counties of Norfolke and Cambridge within the Iſle of Ely, at euerie of their Seſſions within the ſame Iſle and counties, haue power to cauſe enquirie to be made of euerie offence committed in breaking vp, cutting, or caſting downe new Powdike in Marthland in the County of Norfolk, and old Field Dike by Marthland in the Iſle of Ely in the Countie of Cambridge, and to award like proceſſe againſt euerie offendor, with like iudgement and execution of the ſame (if he be found guilty) as the ſame Iuſt. haue vſed to do, vpon other felonies at the common Law. 22.H.8.11. 2.& 3.P.& M.19. Powdike.

18 Iuſtices of P. haue power to heare and determine at the Kings ſuit all maner of felonies and treſpaſſes committed againſt the peace in the ſame Countie: And to reſtraine offendors, riotters, and all other barrettors, and to purſue, take, and chaſten them, to impriſon and puniſh them according to their treſpaſſe and offence, & alſo to reforme them according to the ſaid Iuſtices diſcretion: And to take Felons. Treſpaſſers. Barrettors.

and arreſt all thoſe which they can find by indictment or ſuſpition, and to commit them to priſon: And to take of all thoſe which be not of good fame in the place where they remaine, ſufficient ſuretie and mainprize of their good abearing or behauiour towards the King and his people, and the other duly to puniſh, to the intent that the people be not by ſuch riotors troubled or indamaged, nor the peace broken, nor any paſſengers by the way diſturbed, or put in perill. But the fines which Iuſtices ſhal aſſeſſe vpon any perſon for any offence ſhalbe reaſonable, hauing regard to the quantitie of the treſpaſſe and the cauſe. 2.E.3.6. 18.E.3.2. 34.E.3.1.

Reaſonable fines.

Eſcape.

19 Iuſtices of Peace haue authoritie to enquire in their Seſſions of all maner of Eſcapes, of euerie perſon arreſted and impriſoned for Felonie. 1.R.3.3. And alſo to enquire of the eſcape of any murder, and to certifie thereof the K. in his Bench. 3.H.7.1.

Retainers. Maintenance Imbracerie. Bowſtaues. Vnlawfull games. Archerie. Regrators. Victualers.

20 Iuſt. of P. at their Quarter Seſſions haue authoritie to enquire as well by the othes of xij. men, as by information giuen to them by any perſon, of al defaults, offences, and contempts committed againſt the Lawes and Statutes made and prouided (before 16. die Ianuarij, An. 33. H.8. concerning, or in any wiſe touching Retainers, giuing of Liueries, Signes, Tokens, or Badges, Maintenance, Imbracerie, Bowſtaues, Archerie, vnlawfull games, Foreſtallers, Regraters, Victuall, Victuallers, and Inholders, and euery of them) and to heare and determine the ſaid defaults, offences, &c. And vpon any information touching the premiſſes, or any of them, to make proces by Venire facias, one Capias, & an Exigent, vnder their Seales, againſt euerie ſuch perſon and perſons againſt whom ſuch information or preſentment ſhall be had for their appearance, before them in their Seſſions, to anſwer to ſuch information or preſentment, as ſhalbe there made. And if the perſon or perſons accuſed by information or preſentment, ſhall bee conuict vpon any ſuch information, or &c. by confeſſion or verdict of xij. men: then the ſaid Iuſt. haue power to giue iudgement againſt euerie ſuch offendors ſo conuicted, of impriſonment, forfeiture of money, or both of them, as are limited in the ſaid ſeueral Statutes, for ſuch offences, whereof they are conuict, and to cauſe execution therof to be made accordingly. 33.H.8.10. 37.H.8.7.

Telling newes.

21 I. of P. in euerie Shire, Citie, and Towne Corporat, within the limits of their ſeuerall Commiſſions, ſhall haue full power to examine, heare and determine the cauſes ſpecified in the Stat. of Weſt. 1. 34. & 2.R.2.5. touching contriuing, ſpeaking, or telling any falſe newes of Prelats, Dukes, Earls, Barons, and other Nobles and Peeres of the Realm &c. and to put the ſaid two ſtat. and euery branch in them contained, in due execution, that condigne puniſhment bee not deferred from ſuch offendors. 1.& 2.P.& M.3.S. Newes 1.

Making of Mault.

22 It ſhall and may be lawfull for the I. of P. within this Realm in their open Quarter Seſſions, or the more part of them, by their diſcretions, to ſuppreſſe, diſcharge, or reſtraine the ſuperfluous & vnneceſſarie number of Maulſters, in part, or in the whole: And to reſtraine ſuch perſon and perſons, as to their diſcretions ſhal ſeeme meet, from the buying of Barley to conuert into Mault, in part, or in all, for ſuch time as to their diſcretions ſhall ſeeme meet. 39.El.16. S. Mault 6. &c.

Wilful periury

23 The Iuſt. of Aſſiſe and Gaole deliuerie, in their ſeuerall circuits, and the I. of peace in euery Countie within this Realme, or in Wales, at their Q. Seſſions, both within the Liberties and without, haue authoritie to enquire of all and euery the defaults and offences, committed contrary to the Stat. prouided for the puniſhment of ſuch, as ſhall procure or commit wilfull periurie, by Inquiſition, Preſentment, Bill, or Information before them exhibited, or otherwiſe lawfully to heare and determine the ſame, and thereupon to giue iudgement, award proces, and execution of the ſame, according to the courſe of the Lawes of this Realme. 5.Eliz.9. 29.El.5. S. Periurie.

24 All and euerie Juſtices of Aſſiſe, Juſtices of Oyer and Determiner, and Juſtices of Peace, haue authoritie to enquire, heare, and determine euerie offence committed within the limits of their Commiſſion, contrarie to the tenor and meaning of the Statute prouided 5. Eliz. againſt fond and phantaſticall propheſies. 5. El. 15. S. Propheſies 1. Propheſies.

25 The Juſtices of Aſſiſe, or Juſtices of Peace, at their Gaole Deliuerie, or Quarter Seſſions, ſhall haue authoritie to indict, and trie, ſuch as ſhall offend, contrarie to the Statute prouided 23. Eliz. 9. againſt dying with Logwood, alias Blockwood, by the vſuall courſe of Indictments and Trials in like caſes. And after ſuch conuiction, to adiudge the offendors to be ſet openly vpon the Pillorie. 39. Eliz. 11. S. Dying 2. Dying with Logwood.

26 All Juſtices of Aſſiſe in their circuits, and all Juſtices of Peace within the limits of their Commiſſions in their Aſſiſes and Seſſions, ſhal and may from time to time enquire, heare, and determine euerie of the offences committed contraris to the Act prouided 4. & 5. Ph. & Ma. for the taking of Muſters within the precinct of their Commiſſion. And if any perſon ſhal be before them preſented or indicted of any of the ſaid offences, then the ſaid Juſtices ſhall and may award ſuch Proces againſt euerie ſuch perſon ſo indicted, as vpon Indictments of Treſpaſſe is vſed to bee made. And if any ſuch perſon ſo indicted, do appeare, and confeſſe the ſame, or plead to the ſame Indictment, and after by verdict of twelue men ſhall bee conuicted, then the ſaid Juſtices ſhall and may award ſuch perſon to priſon, there to remaine without bayle or mainprize, vntill he hath paid the one moitie of the forfeiture ſpecified in the ſaid Act, vnto the Quéene, and the other moitie vnto him, by whoſe euidence hée ſhall bée conuicted, and if ſuch conuiction ſhall bée without euidence openly giuen by any perſon, then the partie conuicted ſhall remaine in priſon, vntill he hath ſatiſfied the whole forfeitue vnto the Quéene, 4. & 5. P. & M. 3. S. Captaine 12. &c. Muſters.

27 All and ſingular Juſtices of Peace, as well within liberties as without, within their ſeuerall authorities (at any time within three yeres) next after ſuch offences committed, haue power to enquire, as well by the othes of twelue lawfull men, as alſo to heare and examine the Maſters and Mariners of the Ships, Crayers, and euerie other perſon, of all and ſingular the offendors againſt the Act prouided 1. & 2. Ph. & M. for the reſtrayning of carrying corne, béere, butter, chéeſe, herring, and wood beyond the Sea, and to heare and determine the ſame offences, as they may and ought to heare and determine any other treſpaſſes or offences. 1. & 2. P. & M. 5. And Juſtices of peace in their Quarter Seſſions, or the greater part of them, may by their writings, vnder their hands and ſeales, make any determination to the contrarie of that, which before was determined by the Juſt. of Aſſiſe, for the tranſporting of corne, or reſtraint thereof, if they ſhall find the ſame to bee hurtfull to the country by the means of dearth, or tw much cheapneſſe, and to cauſe their determination to be proclaimed. 13. El. 13. S. Corne 1. 7. Tráſporting of victuals.

28 Juſtices of Peace haue power at their general Seſſions to heare and determine the offences commtted contrarie to the Statute prouided for the kéeping of Milch kine, and for the bréeding and rearing of calues, by bil, information, preſentment, action of debt, or detinue: and euerie perſon that will, may ſue for any penalties forfeited by the ſaid Statute, within one yeare after the offence committed, before the Juſt. of P. in the ſame Shire, where ſuch cauſe of forfeiture ſhall bée had, at the generall Seſſions, wherein no W. ſc. E. P. or licence to the contrarie ſhall bee allowed. 2. & 3. P. & M. 3. 13. El. 25. S. Cattell 3. Milch kine.

29 The Juſtices of Peace of euerie Shire within this Realme, within the limits of their commiſſion, haue authoritie at euerie of their general Seſſions, to enquire, heare, and determine the offences of thoſe which ſhal kil or cauſe to be killed wainlings.

any wainlings, vnder the age of two yeres, to the intent to make ſale thereof, as wel by information, or preſentment, as by bil, or plaint, wherin no W. &c. E. P. &c. 24. H. 8. 9. 1. Iac. 25. S. Butchers 2. To continue to the end of the firſt Seſſion of the next parliament.

Making of Hault.

30 The Iuſtices of Peace, in euerie of their Seſſions, ſhall haue full power & authoritie to enquire, heare, and determine, as well by preſentment of twelue men, as by accuſation or information of two honeſt witneſſes, of, for, and vpon all and euerie the offences and forfeitures committed contrarie to the Statute made Anno 2. Edw. 6. for the true making of Hault, as well for the King, as for the partie that ſhall ſue, procure, or cauſe the ſame to be preſented. 2. Edw. 6. 10. 1. Iac. 25. To continue vntill the end of the firſt Seſſion of the next Parliament. S. Mault 1. &c.

Foreſtallers, Regrators, Engroſſers.

31 The Iuſtices of Peace in euerie Countie within this Realme, or Wales, at their Quarter Seſſions, haue authoritie to enquire, heare, & determine all and euery the defaults and offences committed contrarie to the ſtat. prouided 5. E. 6. againſt Foreſtallers, Regrators, and Engroſſers, within the Countie, where any ſuch Seſſions ſhalbe kept, by inquiſition, preſentment, bill, or information, before them exhibited, and by examination of two lawful witneſſes, or by any of the ſame wayes, by the diſcretion of the ſaid Iuſtices, and to make Proces thereupon, as though they were indicted by inquiſition or verdict, and vpon the conuiction of the offendor, by information or ſuit of any other then the K. to make extracts of the moitie of the forfeiture to be leuied to the K. vſe, as they do of other Fines, Iſſues, &c. growne in the Seſſions, and to award execution of the other moitie for the Compl. or Inf. againſt the offender by Fieri fac', or Capias, as the K. Iuſtices at Weſtminſter do. And if the conuiction be at the Kings ſuit onely, the whole forfeiture ſhall bee extracted and leuied to his onely vſe. 5. Ed. 6. 14. 13. Eliz. 25. S. Foreſtallers &c.

Recogniſance of Badgers, Drouers.

32 The I. of P. in their generall Seſſions, ſhall or may by their diſcretions take bond and ſuretie by Recogniſance of euerie ſuch as ſhalbe allowed a common Drouer of Cattell, Badger, Lader, Ridder, Carrier, or Buyer of Corne, Graine, Butter, or Cheſe, that he ſhall not by colour of his licence foreſtal, engroſſe, or practiſe any thing contrarie to the tenor, or true meaning, or in defrauding of the ſtat. of 5. E 6. 14. or of any thing therein contained. Anno 5. El. 12.

Licence of Badgers, and Drouers. &c.

33 The Iuſtices of peace in euerie Countie within this Realme, or Wales, at their Quarter Seſſions, haue authoritie to enquire, heare, and determine all defaults and offences, committed contrarie to the ſtat. prouided 5. Eliz. for the licencing of Badgers of Corne, & Drouers of Cattell, within the Countie where ſuch Seſſions ſhall be kept, by inquiſition, preſentment, bill, or information, before them exhibited, and by examination of two lawfull witneſſes, or by any of the ſayd wayes, by the diſcretion of the ſaid Iuſtices, and to make proces thereupon, as though they were indicted by inquiſition or verdict, and vpon the conuiction of the offendor, by any Information or Suit of any other then the Quæne, to make extracts of the moitie of the forfeiture to be leuied to the Quænes vſe, as they doe of other Fines &c. growne in the Seſſions, and to award execution of the other moitie for the Compl. or Inform. againſt the offendor by Fieri facias, or Capias, as the M. Iuſtices at Weſt. do. And if the conuiction be at the M. ſuit onely, the whole forf. ſhalbe extracted and leuied to her vſe onely. 5. El. 12. S. Badger &c.

Hunting of Deare or Conies.

34 The Iuſtices of Oyer and Terminer, Iuſt. of Aſſiſe in their circuits, and Iuſtices of Peace, and Gaole deliuerie in their Seſſions, ſhall haue authoritie to enquire, heare, and determine all and ſingular the offences committed contrarie to the Statute prouided Anno 3. Regis Iacob. againſt vnlawfull hunting and ſtealing of Deare and Conies, by Examination of the Offendors, and to make and award

award Proceſſe thereupon, as well vpon indictments taken before them, as by bill of Complaint, Information, or any other Action: In which ſuit or action no Eſſoyne, Protection, or Wager of Law &c. And if any perſon or perſons at any time hereafter ſhall be bound, before any the Iuſtices before mentioned, to the King, his Heires, or Succeſſors, for his or their good abearing for ſeauen years, according to the tenor of this Act, And the ſame partie or parties, ſo bound, ſhal afterward within the ſaid ſeauen yeares come before the Iuſtices of the Peace of the ſaid Countie, where the ſaid offence was committed, or ſome of them, in open quarter Seſſions, and there in the ſaid Seſſions confeſſe and acknowledge his or their ſaid Offence or Offences, and that he or they is, or are ſorie therefore, and ſatisfie the partie or parties grieued, according to the tenor of this Act: Then the ſame Iuſtices, before whom the ſaid confeſſion ſhall be made, ſhall and may haue power and authoritie by vertue of this Act, in the ſame open Seſſions, or in any other Seſſions afterwards to be holden before the ſaid Iuſtices in the ſaid Countie, within ỹ ſaid terme of 7. yeares, if it ſhall ſeeme good to their diſcretions, to diſcharge the ſaid Recognizſance and Bond ſo taken, and alſo the ſaid partie and parties ſo bound: This Act &c. notwithſtanding. 3. Iac. 13. S. Forreſts &c. 9. &c. See 5. El. 21. The like authoritie giuen to Iuſt. of P. to puniſh the vnlawfull taking of Fiſh and Hawkes. S. Fiſh, 7. Hawkes 1.

35 Two Iuſtices of Peace in their Seſſions haue authoritie to cal before them any perſon, hauing no Parke, Chaſe, or Forreſt of his own, which keepeth or cauſeth to be kept any Deere hayes, or Buckſtals, or which ſtalketh with any Bush or Beaſt to any Deere, beeing in any Chaſe, Parke, or Forreſt, ſauing in his owne, without licence of the Owner, Maſter of the game, or keper of the ſame forreſt, &c. Or which killeth, taketh, or cauſeth to be taken any Herons, (except by hawking, or with Long Bow) or taketh any yong Herons out of the neaſt, without Licence of the owner of the ground, where the neaſt is, and by their diſcretions to examine him in the premiſſes. And if the party examined be found in default contrarie to the premiſſes, then he ſhall be committed to priſon, vntill he hath found ſuretie for paiment of the forfeiture to the K. And the Iuſtices that examine him ſhall haue the tenth part of euery ſuch forfeiture for their labour. Anno 19. H. 7. 11. S. Hunting 3. 4. Herons 1. 2. Buckſtals. Stalking. Taking of Herons.

36 Iuſtices of Peace may and ſhall enquire of all lay men hauing not lands to the value of 20 s by the yeare, and of all Clerkes not hauing liuing to the value of 10 l. by the yeare, which doe keepe any dogges to hunt, or doe vſe ferrets, haies, nets, harepipes, cords, or other engines to take or deſtroy, deere, hares, conies, or other gentlemens games, and ſhall puniſh them by one whole yeares impriſonment. 13. R. 2. 13. S. Hunters 1. Hunters.

37 All Iuſtices of Peace, Maiors, Bailifes, head Officers, and Conſtables, as well of Cities and Townes corporate, as in euery Countie of this Realme, ſhall haue authoritie yearely in the time of Lent, to enter into all houſes of victuallers, and common victualling houſes, within their iuriſdictions, where offences ſhall be ſuſpected to be committed, contrarie to the Stat. of 1. Iac. 29. and finding any oxen, beeues, &c. killed or dreſſed, ſhall take and ſeize as forfeit, and giue the ſame to priſoners, and other poore folkes, by their diſcretion. 1. Iac. 29. S. Fiſh daies 7. Eating fleſh in Lent.

38 Iuſtices of peace haue authoritie to heare and determine as well by inquiſition as information, & proofs, the offences of all thoſe which ſhall take, or cauſe to be taken, any Feſants or Partridges, by nets, ſnares, or other engines, out of their owne Warren, vpon the freehold of any other perſon, without the licence of ỹ owner or poſſeſſor. 11. H. 7. 17. S. Feſants 1. And the Iuſtices of Aſſiſe in their circuits, and Iuſtices of Peace in euery Shire, Countie, and Towne corporate within this Realme in their Seſſions, within the ſeuerall limits of their Commiſſion, ſhall Feſants. Partridges.

ſhall and may enquire, heare, and determine of all and euery offence and offences, which ſhall be committed within the precinct of their liberties, iuriſdictions, or franchiſes, againſt the tenor of the Act prouided 23. Eliz. for the preſeruation of Feſants and Partridges. And euery Iuſtice of peace within euery Countie of this Realme, ſhall within the limits of his commiſſion, haue power to examine all offendors in any article of the ſame ſtatute, within the Countie where he is or ſhall be Iuſtice, if ſo be that the ſaid offence or offences ſhal not before be heard or determined by the Iuſtices of Aſſiſe in their circuits, or by the Stewards of Leetes, Liberties, or Lawdaies, within their ſeuerall iuriſdictions, & alſo to take bond with good ſureties, for his and their apparance that ſhall ſo offend, to appeare at the next generall Seſſions of the peace to be holden within the ſame Countie where the ſame offence ſhall be committed, to anſwere the ſaid offence, and to pay the penalties or receiue the puniſhment by this act appointed. 23. El. 10. S. Feſants &c. 2. 3. 4. 5. Leets 18. And all Iuſtices of Aſſiſe in their ſeuerall circuits, and all the Iuſtices of the peace in their generall quarter Seſſions, and any two Iuſtices of P. or more together, out of any Seſſions, ſhall and may haue authoritie to examine, heare, puniſh, and determine, all offences to be committed againſt the ſtat. made 1. Iac. touching ſhoting in guns, and the preſeruation of the game of Feſants, &c. and to adminiſter oathes, and to performe and execute all and euery act and thing requiſite for the due execution of the ſaid Act. 1. Iac. 27. S. Feſants 6. &c.

Examining of offendors.

Preſeruation of Feſants, Deer, &c.

Hawkes egs.

39 Iuſtices of P. haue authoritie, to heare and determine as well by Inquiſition, as Information, and proues, the offences of all them, which ſhal take, or cauſe to be taken, the egges of any Faucons, Goſhaukes, Laners, or Swannes, out of the neaſt, or ſhall take any Eiter, Faucon, Goſhauke, Tercell, Laner, or Laneret, or purpoſely driue them out of their couerts accuſtomed to breed in, or cauſe them to goe to other couerts to breed, or kill them for any hurt by them done. 11. H. 7. 17. S. Hawkes 3. 4.

Deſtroying of fiſh.

40 Iuſtices of Peace in their Seſſions, Iuſtices of Oier and Determiner, and Iuſtices of Aſſiſe in their ſeuerall circuits, haue authoritie to enquire, heare, and determine all offences committed contrarie to the ſtatute prouided 1. El. touching the taking, killing, or deſtroying of fiſh, or frie and ſpawne (which be not preſented at the Leet where they ſhal be committed) within one yere next after the offence committed. 1. El. 17. S. Fiſh 3. 4. Leete 6.

Conſeruators of Salmons.

41 The Iuſtices of peace of all the Counties of England, ſhall be Conſeruators of the ſtat. prouided 13. Ed. 1. & 13. R. 2. for the preſeruation of Salmons, in the Counties where they be Iuſtices. And they and euery of them, at all times when they may attend, ſhall ſuruey the offences attempted againſt the ſaid Statutes, And ſhall ſuruey and ſearch all the Weares in ſuch riuers, that they ſhal not be very ſtraite for the deſtruction of frie and brood, but of a reaſonable wideneſſe after the old aſſiſe accuſtomed, and if any of them ſhall find default againſt the ſaid Statutes, hee ſhall puniſh the offendor according to the content of the ſame Statutes. And the ſame Iuſtices, ſhall appoint vnder them good and ſufficient vnderconſeruators, which ſhall be ſworne to make like ſurueying, ſearch, and puniſhment without any fauour ſhewed. And the ſame Iuſtices in their Seſſions ſhal enquire as well by their office, as at the information of the ſaid conſeruators, of all treſpaſſes and offences, committed againſt any point of the ſaid Statutes, and ſhall cauſe them which be thereof indicted, to appeare before them: And if they be thereof conuicted, they ſhall be impriſoned, and make fine after the Iuſtices diſcretion, and if the ſame be at the information of any of the vnderconſeruators, hee ſhall haue the one halfe of the ſame fine. 17. R. 2. 9. S. Fiſh 1.

Vnderconſeruators ſworn.

Waxe chandlers.

42 The Iuſtices of Peace in euery Countie where they be Iuſtices, ſhall haue authoritie to enquire, heare and determine, all things done againſt the Statute

11. H.

11.H.6.12.ordained for Ware chandlers. And aſwell euery Iuſtice of peace in the Countie where he is Iuſtice, as Maiors and Bailiſes within Cities and Boroughs, and Stewards of Leets ſhall haue power to examine and ſearch as wel by weights of works of ware, as by their diſcretion, of them that ſhall offend againſt the ſaid ſtatute, and to puniſh them that ſhalbe found guiltie. 11.H.6.12. S. Waxe 8.

43 All Iuſtices of P. in euery ſhire, where any offence ſhall be committed contrary to ỳ true intent of ỳ act made 27.H.8. (whereby religious houſes of Monks, Chanons, Nuns, which might not diſpend in lands &c. aboue the cleere yearly value of two hundred pounds, were giuen to the ſaid K.H.8. his heirs and ſucceſſors for euer: And whereby all perſons, and bodies politique and corporat, to whom the ſaid K. his heires or ſucceſſors ſhould giue, grant, let, or demiſe, any Scite or precinct with the houſes thereupon builded, with the demeanes of any of the ſaid Religious houſes, by that act diſſolued, be bound to kéepe, or cauſe to be kept an honeſt continuall houſe and houſhold in the ſame Scite or Precinct, and maintaine Tillage) ſhall euery quarter and general Seſſions, within the limits of their commiſſion, enquire of the premiſſes, and haue full power and authoritie to heare and determine the ſame, and to tare and aſſeſſe no leſſe fine for euery of the ſaid offences, than in the ſaid ſtatute is limited for the ſame: And the eſtreats thereof ſhalbe certified into the Exchequer according, & at ſuch time and forme, as other eſtreats of fines, iſſues, and amerciaments bene made by the ſaid Iuſt. 27. H.8.S. Huſbandrie 1. Hoſpitalitie.

44 The Iuſtices of Aſſiſe, or I. of P. in euery Countie within this Realme at the aſſiſes or quarter or generall Seſſions, ſhall haue full power and authoritie to inquire, heare and determine al & euery the defaults & offences committed or done contrarie to the act made (An. 39. El. for the maintenance of huſbandrie & tillage) within the Countie where any ſuch aſſiſes or ſeſſions ſhalbe kept. 39. El. 2. S. Huſbandrie &c. 25. And the I. of aſſiſes to be holden within euery cõtie of this realm, ſhall haue full power and authoritie to enquire of, heare and determine all and euery the defaults and offences committed contrarie to the ſtatute prouided Anno 39. El. againſt the decaying of townes and houſes of huſbandrie, within the countie where any ſuch aſſiſes ſhalbe kept vpon inquiſition, indictment, bill, or information, to be exhibited before them. 39. El. 1. S. Husbandrie and Tillage 2. &c. Husbandry and Tillage. Townes.

45 It is lawfull to all Iuſtices of Peace in their Seſſions, to enquire, heare, and determine euery offence committed contrarie to the tenor of the Stat. made 33.H.8. concerning Croſſebowes and Handguns, ſo that alwaies no leſſe fine than ten pounds be aſſeſſed vpon euery preſentment, and conuiction made, according to the due courſe of the law, the ſame fine vpon euery ſuch preſentment and conuiction, to be leuied onely to the Kings vſe. And if any Iurie ſworne and charged to enquire for the K. of any offences committed contrarie to the ſaid ſtatute, doe wilfully conceale any of the ſaid offences: then the Iuſtices before whom any concealement ſhalbe had, haue authoritie to charge and ſweare another Iurie, to enquire of euery ſuch concealement, and if ſuch concealement be found and preſented by the ſaid Iurie, then euery of the firſt Iurie ſhall forfeit for euery ſuch concealement of euery offence xx.s. to the King. And euery Iuſtice of Peace, vpon due examination and proofe before him made of any perſon offending contrary to the forme and effect of the ſaid ſtatute, and arreſted and brought to him by any other perſon, perceiuing any ſuch perſon to offend, hath power to cõmit the ſame offender to the next Gaole, there to remaine vntill ſuch time as the penaltie ſpecified in the ſaid Statute, ſhall be truely paid by the ſaid offender: the one moitie to the king, and the other to the firſt bringer of the ſaid offender to the ſame Iuſt. But if the preſentment, ſuit, or puniſhment for any thing forfeited by the ſaid Statute Croſſebowes Handguns. The Iurie concealing offence.

Statute to the K. be not commenced, or made within one yeare next after the offence committed, the ſaid offendor ſhall be thereof cleerely diſcharged. 33. H. 8. 6. S. Gunnes.

Gilding. 46 Iuſtices of peace haue power to enquire and determine all the offences cõmitted contrarie to the ſtat. prouided. 8. H. 5. concerning the gilding of mettal, and other things. 8. H. 5. 3. S. Gold 7.

Breeding of horſes. 47 Iuſtices of peace in euery Shire, Riding, and other place in their quarter Seſſions, haue authoritie to enquire of all defaults, contempts, omiſſions, and offences, committed contrarie to the effect of the ſtat. prouided 32. H. 8. concerning the breeding of horſes of higher ſtature: And to heare & determine euery preſentment found before themſelues, or by the Steward, Deputie, or Courtholder of the ſame Leet or Lawday, as well by examination as otherwiſe: And the one halfe of all forfeitures ſpecified in the ſaid Stat. ſhalbe to the K. and the other to the perſon that will ſue for the ſame, before the ſame Iuſt. by V. I. &c. 32. H. 8. 13. S. Horſes 3. 4. 5. 6. 7. 8. 9.

Keeping of horſes. 48 The Iuſtices of Aſſiſes and Iuſtices of Peace, haue power within the limits of their authoritis, to heare and determine the defaults done contrarie to the ſtatuts prouided. 33. H. 8. concerning the keeping of great horſes, as well by preſentment as by information before them, as in other caſes of treſpaſſe and contempts done againſt the forme of any ſtatutes, and ſhal ſet no leſſe paine vpõ ſuch perſons, as ſhalbe conuicted, by confeſſion or triall, for offending the ſaid Act, than in the ſaid Act is limited. 33. H. 8. 5. S. Horſes 10. 11. 12.

Tranſporting of horſes. 49 It is lawfull to the Warden and Wardens of the Eaſt, Weſt, and Middle Marches for the time being, in their Warden Courts, and to the Iuſtices of peace in euery Shire, as well in England as in Wales, in their quarter Seſſions, to enquire of all offences committed contrarie to the Act ordained 1. E. 6. that no horſes ſhould be conueied out of this Realme and other the Kings dominions without licence. 1. Ed. 6. 5. S. Horſes 14. 15. 16. 17.

Horſebread. 50 Iuſtices of peace in euery ſhire, Liberty, or Franchiſe, within this realme, haue authoritie to enquire, heare, and determine the defaults & offences of Hoſtlers and Inholders, baking horſebread, which is not ſufficient, lawful, and of due aſſiſe, according to the price of corne, and to ſet ſuch fines, and make like proces thereupon, as they commonly vſe to doe vpon preſentments of treſpaſſe againſt the peace. 32. H. 8. 41. S. Inholders 2.

Leather. 51 All Iuſtices of Aſſiſe, Iuſtices of Gaole deliuerie, & Iuſtices of peace, ſhall enquire, heare, & determine in their Seſſions, all offences committed within their ſeuerall precincts, liberties, & iuriſdictions, contrarie to the ſtat. prouided 1. Iac. touching Tanners, Curriers, Shomakers, and other Artificers occupying the cutting of leather, and alſo ſhall by their diſcretions examine all perſons ſuſpected to offend the ſaid act, or any parcell thereof. 1. Iac. 22. S. Leather 45.

Wages of Knights of the Parliament. 52 All Iuſtices of the K. Bench, and of the Common pleas, I. of aſſiſes & gaole delinerie, and I. of peace, haue power in their Countrie, to enquire, heare, and determine all defaults and offences committed by any perſon within the limits of their commiſſion, contrarie to the ſtat. prouided. 23. H. 6. for the leuying & paying of the wages of the Knights of the Parliament, as well by enquiris at the K. ſuit, as by action at the parties ſuit. 23. H. 6. 11. S. Parliament 12.

Stollen horſes. 53 I. of p. in euery place & countie as well within liberties as without, haue authoritie in their Seſſions, within the limits of their authority & commiſſion, to enquire, heare and determine all offences committed cõtrarie to the ſtat. prouided 2. & 3. P. & M. againſt the buying of ſtollen horſes, as they may doe any other matter triable before them, & euery perſon that will, may ſue for any ſumme forf. by the ſaid ſtat. before the Iuſt. of p. 2. & 3. P. & M. 7. S. Faires 4. 5. 6.

54 Aſwell the Iuſtices of Aſſiſe for the time being, as alſo two Iuſtices of P. in euery Countie, Citie, Borough Towne and Franchiſe, whereof one to be of the Quorum, haue authoritie to conuent by proces, or otherwiſe, to the generall Seſſions, any perſon being ſuſpected of any deceitfull getting into his hands, any money, or other things of any other perſons, by colour of any falſe token, or counterfeit letter made in any other mans name, and to commit him to ward, or let him to baile, vntill the next generall Seſſions, and there to be further ordered by their diſcretions. 33. H. 8. 1. S. Counterfeiting, &c. Counterfeiting letters, tokens.

55 Iuſtices of peace in euery Countie, haue power to enquire of all falſe makers of Arrowheads and Quarels, and to puniſh them according to the ſtat. in that caſe prouided. 7. H. 4. 5. S. Arrowheads 1. Arrowheads.

56 All and ſingular Iuſt. of Aſſiſe, and Iuſt. of P. haue authoritie to enquire, heare and determine, at all and euery their Seſſions, all and ſingular offences committed by Artificers, Workemen, Labourers, and Victuallers, againſt the ſtatute for them prouided 2. E. 6. and to puniſh the offendor, according to the tenor of the ſame ſtat. 2. E. 6. 15. S. Artificers. Artificers.

57 Iuſtices of Oyer & determiner, Iuſt. of Aſſiſe in their circuits, and Iuſt. of P. in their quarter Seſſions, haue authoritie to heare and determine all offences committed, contrarie to the true intent and meaning of the ſtat. prouided 18. El. 2. to redreſſe diſorders in common Informers vpon penall lawes. 18. El. 5. 27. El. 10. S. Actions popular 4. 5. 6. 7. Informers.

58 Iuſtices of Peace in euery Countie, haue power to enquire, heare, and determine, as well at the ſuit of the King, as of him which ſhall ſue, of any thing committed contrarie to the ſtatute prouided againſt Purueyors, which will take or buy any thing of the value of 12. s. or vnder, of any of the K. liege people, without making readie paiment in hand for the ſame, againſt Conſtables, Tythingmen, and chiefe pledges, which vpon requeſt doe not aſſiſt the owners to withhold and reſiſt ſuch Purueiors and buiers, and againſt ſuch of the Kings officers, as do procure any of the Kings people to be arreſted, impleaded, or vexed, for ſuch withholding, or not ſuffering, &c. and thereof to make due puniſhment and execution, and to award damages to the plaintife, when the plaintife is duely conuict. 20. H. 6. 8. S. Purueiors 22. Purueyors.

59 Iuſtices of peace haue power to enquire, and hold plea of any offence committed by any of the K. Purueiors, or other which doe buy or take corne, by any other meaſure, but by the ſtriked buſhell, & eight of them for the quarter, or which doe take cartiage therefore, and doe not make readie paiment: and thereupon aſwel at the Kings ſuit, as at the parties, to puniſh them, according to the ſtatute in that caſe prouided. 1. H. 5. 10. S. Purueiors 16. Purueiors.

60 The Chancelor or his vicechancelor, or Commiſſarie for the time being, in either of the Vniuerſities of Cambridge and Oxford, with two Iuſtices of Peace, of the Counties wherein the ſaid Vniuerſities be ſet, haue power to enquire by the oathes of 12. men, of, and vpon the defaults and offences committed contrarie to ỹ Statutes (ordaining in what caſes Purueyors may take victuals within 5. miles of Cambridge and Oxford, and in what caſe they may not) and to ſee due puniſhment and reformation thereof, according to the ſaid ſtat. 2. & 3. P. & M. 15. 13. El. 21. S. Purueiors 32. Purueiors.

61 All and euery Iuſtices of Oyer and determiner, and Iuſtices of Aſſiſes in all their Seſſions, and all Iuſtices of Peace in euery Countie, and place of this Realme, or three of them at the leaſt, whereof one to be of the Quorum, haue power to enquire, heare, and determine in their Seſſions, of all perſons which doe wittingly vſe any deceitfull act or meane with Linnen cloth, whereby the ſame is made worſe for the vſe thereof, by Information, Indictment, or vpon the Trauerſe Linnen cloth.

uerſe of any preſentment or indictment found before them, or any of them. And the Iuſtices before whom any offence ſhall be found, ſhall certifie the ſame by eſtreat into the Exchequer at Michaelmas, as they be bound to doe other eſtreats. And the Barons of the Exchequer haue power to make proceſſe for ſo much thereof, as by this Statute ſhall appertains to the Qu. 1. Eliz. 12. S. Linnen cloth 2.

Pewter. Braſſe.

62 The Iuſtices of peace within euery ſhire, at the generall Seſſions holden at Michaelmas, ſhall appoint two certaine perſons, hauing experience in Pewter & Braſſe, to make ſearch therein &c. in euery part of that Shire, as well within franchiſe as without (ſauing in Cities or Boroughs, where ſearchers be appointed by the gouernours of the ſame.) 19. H. 7. 6. 4. H. 8. 7. S. Pewterers 5.

Artillerie. Buts. Bowes.

63 Iuſtices of Aſſiſe, of Gaole deliuerie, and Iuſtices of peace haue power to enquire in their Seſſions of all and euery branch of the ſtatute prouided 33. H. 8. for the maintenance of artillery, of Buts, and for the making and ſelling of bowes, and to heare and determine the ſame. And alſo by their diſcretions to examine all perſons lacking and not hauing bowes and arrowes, according to the ſaid ſtatute 33. H. 8. 9. S. Archerie, Bowes 3. 4. Buts 1.

Vnlawfull games.

64 It is lawfull to all and euery the Iuſtices of peace in euery Shire, Maiors, Sheriffs, Bailifs, and other head Officers within euery City, towne, and borough within this Realme, from time to time, as well within liberties as without, as need and cauſe ſhall require, to enter and reſort into all and euery houſes, places, & alleies, where vnlawfull games ſhall be ſuſpected to be vſed contrarie to the ſtatute in that caſe prouided. 33. H. 8. 9. S. Plaies &c. 5.

65 The Iuſtices of peace of euery place and countie, as well within liberties as without, ſhall haue authoritie in their Seſſions, within the limits of their authoritie and commiſſion, to enquire, heare, and determine al offences committed againſt the Statute prouided An. 31. El. to auoid horſe ſtealing, as they may doe any other matter triable before them. 31. El. 12. S. Faires 7, 8.

Labourers.

66 The Iuſtices of peace of euery Shire, Riding, and Libertie, within the limits of their ſeuerall commiſſions, or the more part of them, being then reſiant within the ſame, and the Shiriſe of the Countie (if he conueniently may:) And euery Maior, Bailife, and other head Officer, within any citie, or towne corporate, wherein is any Iuſtice of Peace, within the limits of the ſaid Citie, Corporation, &c. ſhall yearely at euery generall Seſſions, firſt holden after Eaſter, or within fiue weeks next after Eaſter, aſſemble themſelues together, and calling vnto them ſuch graue and diſcreet perſons of the ſaid Countie, Citie, Towne, &c. as they ſhal think meet, and conferring together, reſpecting the plentie or the ſcarcitie of the time, and other circumſtances neceſſarie, ſhal haue authoritie within the limits of their ſeuerall commiſſions, to limit, rate, and appoint the wages of Artificers, Handicrafts men, Huſbandmen, Labourers, Seruants, Workemen, Apprentices of Huſbandrie &c. as they ſhall thinke meet to be rated, limited, &c. by the yeare, or by the day, weeke, moneth, or otherwiſe, with meat and drinke, or without, and what wages euery workeman and labourer ſhall take by the great, for mowing, making, reaping, or threſhing of Corne, and Hay, or for ditching, paling, raling, or hedging by the rod, Perch, Lugge, Yard, Pole, Rope, or Fot, or for any other kind of reaſonable labours, or ſeruice. 5. El. 4. The ſaid ſtatute, and the authoritie by the ſame ſtatute giuen to any perſon or perſons for aſſeſſing and rating of wages, and the authoritie to them in the ſaid Act committed, ſhall be expounded and conſtrued, and ſhall by force of this Act giue authoritie to all perſons, hauing any ſuch authoritie, to rate wages of any Labourers, Weauers, Spinſters, and workemen or workewomen whatſoeuer, either working by the day, weeke, moneth, yeare, or taking any worke at any perſon or perſons hands whatſoeuer, to be done in great or otherwiſe. And the Iuſtices of P. or the more part of them, reſiant in ſuch diuiſion

Rating of wages.

what workmens wages the Iuſtices may rate.

in

in any Shire within this Realme, where in diuers ſhires within this Realme, the Iuſtices of P. haue not vſually kept their generall Seſſions in one place of ỹ ſhire together, but the generall Seſſions haue bene kept in ſeuerall places for ſeuerall diuiſions, ſhall at the ſame generall Seſſions to be holden for the ſame Shire, Diuiſion, Riding, or Libertie, or at ſuch time of rating of wages, as is limited by the ſaid Act made Anno 5. Eliz. haue as full authoritie and power, to rate all manner of wages to be rated within the limits of ſuch diuiſion in any ſuch Shire, as if the ſame were done in the generall Seſſions for the ſaid Countie, or by the moſt part of the Iuſtices, meeting for the rating of wages by the ſaid Act. And after the rates made for wages, and ingroſſed in parchment vnder the hands and ſeales of them hauing authoritie to rate the ſame, it ſhall and may be lawfull to the Sherife of the ſaid Countie, or to the Maior or chiefe officer or officers of any citie or towne corporate, to cauſe proclamation to be made of the ſeuerall rates ſo rated, in ſo many places within their authorities, as to them ſhall ſeeme conuenient, and as if ỹ ſame had bene ſent downe printed by the Lord Chauncelor or Keeper, after declaration thereof to his Maieſtie, and Certificat of the ſame into the Court of Chauncerie, and euery perſon and perſons ſhal be bound to obſerue the ſaid rates in giuing and receiuing wages, vpon the paines and puniſhments mentioned in the ſaid Act, and to be recouered, or puniſhment inflicted, as in the ſaid Act is mentioned. No perſon or perſons ſhall incurre any danger or penaltie, for not making certificate into the Chauncerie, of any rates of wages appointed to be certified by the ſaid Act made in the ſaid Anno 5. El. So as the ſame be proclaimed according to the true intent of this law. But the ſaid rates ingroſſed in parchment, and ſealed as aforeſaid, ſhall if the ſame be in any Shire, be kept by the Cuſtos Rotulorum of the ſaid countie amongſt the Records in his cuſtodie for the ſaid ſhire: And in any citie or towne corporate, among the Records of the ſaid citie or towne corporate. If any Clothier, or other ſhall refuſe to obey the ſaid order, rate, and aſſeſſement of wages, as aforeſaid, and ſhall not pay ſo much or ſo great wages to their weauers, ſpinſters, worke-men, or worke-women, as ſhall be ſo ſet downe, rated, and appointed, according to the true meaning of this Act, Then euery Clothier & other perſon & perſons ſo offending, ſhall forfeit for euery ſuch offence to the partie grieued x. s. And if the ſaid offence and offences of not paying ſo much or ſo great wages to their ſaid worke-men, worke-women, and others, ſhall be confeſſed by the offendor, or that the ſame ſhall be prooued by two ſufficient and lawfull witneſſes, before the I. of P. in their quarter Seſſions, the I. of Aſſiſe in their Seſſions, or before any two Iu. of Peace, whereof one to be of the Quorum, Then euery ſuch perſon ſhall ſtand & be in lawe conuicted thereof, which ſaid forfeiture of x. s. ſhall be leuied by diſtreſſe, and ſale of the offendors goods, by warrant from the Iu. before whom any ſuch conuiction ſhal be had, which ſale ſhall be good in law againſt any ſuch offendor and offendors. No clothier being a Iuſt. of P. in any precinct, or libertie, ſhall be any rater of any wages for any weauer, tucker, ſpinſter, or other artiſan, that dependeth vpon the making of cloth: And in caſe there be not aboue the number of two Iuſtices of the P. within ſuch precinct or libertie, but ſuch as are clothiers: in ſuch caſe the ſame wages ſhall be rated and aſſeſſed by the maior part of the Common councell of ſuch precinct or libertie, and ſuch Iuſtice or Iuſtices of P. (if any there be) as are not clothiers. 39. El. 12. 1. Iac. 6. To continue vntill the end of the nert Parliament.

Seſſions kept in ſeuerall places of the ſhire for ſeuerall diuiſions.

Proclamatiõ of the rates of wages.

The rates of wages ſealed, ingroſſed and kept by the Cuſtos Rotulorum.

A Clothier refuſing to obey order.

A clothier a Iuſt. of peace.

67 If all the Iuſtices of Peace reſiant within the Counties where they be Iuſtices, and the Maior, head Officers &c. doe not yearely aſſemble at the generall ſeſſions holden after Eaſter, or within 6. weekes next after, & limit & rate the wages of ſeruants and Labourers, or ſhall not conſider whether the former Rates made be meet to be continued, or to be altered and reformed, or bee negligent in the certificat thereof: Then euery ſuch Iuſtice, Mayor, &c. in whom any ſuch default

All the Iuſt. ſhall aſſemble at the rating or altering of wages.

ſhall be found, beeing within the ſaid countie, citie, towne, &c. at the time of the ſaid Seſſions, or at the time of the ſaid rates of wages to be ſet within fiue weeke s next after the Seſſions, and not viſited with any ſuch ſickeneſſe, as he could not trauell thither without danger of his life, or not hauing any other good excuſe to be allowed by the J. then aſſembled for the rating of wages, or by the more part of them (vpon a corporall oath, and Affidauit, to be openly taken before the Iuſtices vpon the holy Euangeliſts, by ſome credible perſon alſoſed in the Booke of Subſidie of that cõtie to v.l. at the leaſt, or by ſuch other perſon, as the moſt part of the Iuſtices ſhall allow to take ſuch oath) ſhall forfeit for euery ſuch default and negligence vnto the Qu. r. l. 5. El. 4.

Inquirie of the execution of the ſtat. of Labourers.

68 The Iuſtices of peace of euery countie, diuiding themſelues into ſeuerall limits, and euery Mayor and head Officer of any Citie, Towne corporate, &c. ſhall yearely betweene the feaſts of S. Michael, and the Natiuitie of our Lord, and betweene the feaſts of the Annunciation of our Ladie, and of S. Iohn Baptiſt, by all ſuch waies and meanes, as to their wiſdomes ſhall be thought meete, make a ſpeciall and diligent inquirie of the branches and articles of the ſtatute made 5. El. for Artificers, Labourers, Seruants of Huſbandrie, and Apprentices, and of the good execution of the ſame, and where they ſhall find any faults, to ſee the ſame ſeuerely puniſhed without fauour, malice, or diſpleaſure. And the ſaid Iuſtices, or two of them, whereof one to be of the Quorum, and the Preſidents and Councell eſtabliſhed in the Marches of Wales, and the North, and the Mayor and head Officers of euery Citie, Towne corporate &c. haue power to heare and determine all offences committed againſt the foreſaid Stat. or againſt any branch thereof, as wel vpon indictment to be taken before them in the Seſſions of the peace, as vpon action of debt, or bill of complaint, to be ſued by any perſon, and ſhall and may make proces againſt the defendant, and award execution, as in other caſes they may, and ſhall certifie the eſtreats in Michaelmas Terme into the Exchequer, in like ſort as they be bound to certifie the eſtreats for other offences. And euery J. of P. Mayor, Bailife, and head Officer, ſhall haue for euery day that he ſhall ſit in, and about the execution of this Statute allowed vnto him v.s. of the fines and forfeitures of the penalties due to the Qu. by force of the ſaid ſtatute in ſuch manner, as the ſaid J. haue bin commonly paid for their comming and charges at the quarter Seſſions, ſo that the ſitting of the ſaid Iuſtices, Mayor, &c. be not at any time aboue 3. daies, for the matters contained in this Statute. 5. El. 4. S. Labourers.

Euery Iuſt. allowed v.s. a day.

Highwaies.

69 The Iuſtices of peace of euery place or countie, in default of inquirie or preſentment thereof made within the precinct of any Leet, haue authoritie to enquire of all the offences committed within the limits of their commiſſion, contrarie to the Statute prouided 2. & 3. P. & M. for the amending of high waies, at their quarter Seſſions, and to aſſeſſe ſuch fines therefore, as they, or two of them, whereof one to be of the Quorum, ſhall thinke meete: And the Clerke of the peace ſhall make eſtreats indented, of the fines, forfeitures, and amerciaments, for ẏ defaults preſented before the ſaid Iuſtices, and ſhall deliuer the one part thereof ſealed, and ſigned by him to the Bailife or high Conſtable of euery hundred, Rape, Lath, or Wapentake, wherein the defaults ſhal be preſented, and the other halfe to ẏ Conſtables and Churchwardens of the pariſh wherein the defaults were made, to bee yearely deliuered within fiue weekes after the feaſt of S. Michael. 2. & 3. P. & M. 8. 5. El. 13. And the Superuiſor appointed for the amending of high waies, within one moneth after any offence committed contrarie to the true meaning of either of the ſaid Statutes, ſhall preſent euery ſuch offence to the next Iuſtice of Peace for the time beeing, which Iuſtice ſhall certifie the ſame preſentment at the next generall Seſſions within the ſaid Countie, vpon paine to forfeit for euery offence not certified v.l. And the Iuſtices of Peace of euery Countie where ſuch offences ſhall

bee

be committed, haue authority to enquire thereof, within the limits of their commiſſions, at euery their quarter Seſſions, and to aſſeſſe ſuch fines for the ſame, as they or two of them (whereof one to be of the Quorum) ſhall thinke meet. And euery Iuſtice of P. hath authoritie vpon his owne proper knowledge, in the open generall Seſſions, to make preſentment of any high way, not well and ſufficiently repaired, or of any other default, or offence committed within the limits of his commiſſion, contrarie to the prouiſion or intent of either of the foreſaid Statutes, and euery ſuch preſentment ſhall be as good, and of the ſame force in the law, as if the ſame had beene preſented, and adiudged by the oathes of twelue men: And for euery default ſo preſented, the Iuſtices of P. of the ſaid countie, ſhall immediately at ỳ ſaid generall Seſſions, aſſeſſe ſuch fines, as to them or two of them, whereof one to bee of the Quorum, ſhall be thought meet. Sauing to euery perſon touched by ſuch preſentment, his lawfull trauerſe to the ſame preſentment, as they might haue vpon any indictment of treſpaſſe, or forcible entrie by the lawes of this Realme. 5. El. 13. And all and euery Iuſtices of Aſſiſe, Iuſtices of Oyer and terminer, and Iuſtices of P. in their Seſſions, ſhall heare and determine euery offence, matter and cauſe, that ſhall growe or ariſe by reaſon of the ſtat. prouided 18. El. for the amending of high waies. 18. El. 9. S. Highwaies.

Bridges.

70 The I. of peace of euery Shire of this Realme, Franchiſe, citie, or borough, or foure of them at the leaſt, whereof one to be of the Quorum, haue power to enquire, heare and determine in the generall Seſſions, of all manner of annoyances of bridges broken in the high waies, and of all annoyances of high waies, which lie next adioyning to the ends of bridges, and being diſtant from the ſaid ends 300. fot, to the damage of the K. people, and to make ſuch proces and paines vpon euery preſentment before them made, for the reformation of the ſame, againſt ſuch as ought to be charged for the making or amending of ſuch bridges or high waies as the Kings Iuſtices of his Bench vſe commonly to doe, or as it ſhall ſeeme by their diſcretions neceſſarie and conuenient for the ſpeedie amending of the ſame. 22. H. 8. 5. S. Bridges.

Alehouſes.

71 The Iuſtices of P. of euery ſhire, city, borough, towne corporate, franchiſe or Libertie, or two of them at the leaſt, whereof one to be of the Quorum, ſhall haue authoritie within the limits of their iuriſdiction, to diſcharge common ſelling of ale and beere, in common Alehouſes, and tippling houſes in ſuch Townes and places, where they ſhall thinke meete. 5. & 6. Ed. 6. 25. S. Alehouſes.

Stretching of cloth.

72 The Iuſtices of peace within the Counties of Yorke, Lancaſter, or any other the Counties on the North ſide of Trent, in their quarter Seſſions, ſhall and may enquire, heare and determine euery fault or offence, made or done, contrarie to the Act made Anno 39. El. againſt the deceitfull ſtretching and taintering of Northerne cloth, or any thing therein contained (except the offences committed, and forfeitures made by the Iuſt. of Peace) by preſentment, bill, or information, and vpon proofe thereof made by the teſtimonie of two ſufficient witneſſes openly giuen to the Iurie, and thereupon preſentment made by the Iurie, to giue order for the execution of the ſaid ſtat. and euery clauſe therein contained, and for the recouerie of the penalties in the ſaid ſtatute mentioned, to the vſes in the ſame rehearſed. And the Iuſtices of Aſſiſe, ſhall and may enquire, heare, and determine, euery fault or offence, made or done by any Iuſtice of peace, contrarie to the ſaid Act, in neglect of their dutie, in, or about, touching or concerning the execution of ỳ ſaid Act, and vpon proofe thereof made by two ſufficient witneſſes, and by the preſentment of the Iurie, ſhall and may giue order for recouery and imployment of the penalties and forfeitures by them committed and made, to the vſes aforeſaid. 39. El. 20. S. Draperie &c. 112. 120. &c.

Iu. of Aſſiſe ſhall enquire, heare and determine the offences of the I. of peace.

73 It ſhall and may be lawfull, to, and for the Iuſtices of Peace of any Coun-

Houſes of cor-rection.

tie or Citie in this Realme, or the dominions of Wales, aſſembled at any quarter Seſſions of the peace within the ſame countie, citie, borough, or towne corporate, or the more part of them, to ſet downe order to erect, and to cauſe to be erected, one or more houſes of correction within their ſeuerall counties or cities &c. 39. El. 4. S. Vagabonds 1.

Vagabonds.

74 Any two or more Iuſtices of ỳ peace within all the ſeueral ſhires, cities, boroughs, or townes corporat (whereof one to be of the Quor) ſhall haue full power to heare and determine all cauſes that ſhall growe or come in queſtion by reaſon of ỳ Act prouided for puniſhment of Rogues, Vagabonds, and ſturdy beggers. 39. El. 4. S. Vagabonds 12.

Vagabonds.

75 The Iuſtices of peace within any Countie of this Realme, or Wales, ſhall not intromit or enter into any Citie, Borough, or Townes corporate, where be any Iuſtice or Iuſtices of the peace for any ſuch citie, borough, or towne corporate, for the execution of any branch, article, or ſentence of the Act prouided for puniſhment of Rogues, Vagabonds, and ſturdie beggers, for, or concerning any offence, matter, or cauſe, growing or ariſing within the Precincts, Liberties, or iuriſdiction of ſuch citie, borough, or townes corporate. But it may and ſhall be lawfull to the Iuſt. and Iuſt. of the P. Mayors, Bailifes, and other head Officers of thoſe cities, boroughs, and townes corporat, where there be ſuch Iuſt. of ỳ P. to proceed to the execution of this Act, within the precinct and compaſſe of their liberties, in ſuch maner and forme as the Iuſt. of peace in any Countie may or ought to doe within the ſame countie, by vertue of this Act, any thing &c. 39. El. 4. S. Vagabonds &c. 8.

The poore.

76 Iuſtices of peace ſhall appoint Ouerſeers of the poore in euery pariſh, and take their accounts, and commit them to priſon which refuſe to pay their aſſeſſed contribution toward the reliefe of the poore, and thoſe which refuſe to account. And may aſſeſſe the inhabitants of one or more pariſhes to relieue the poore of another pariſh being thereunto vnable. And they ſhall rate euery pariſh to a weekly ſumme to be ſent to the reliefe of the priſoners in the K. Bench & Marſhalſie, & of ſuch hoſpitals and almes houſes as ſhall be in the ſaid Countie. And they ſhall appoint Treaſurers to collect and paie the ſame money. Mayors, Bailifes, and other head Officers of corporate townes within their iuriſdictions, ſhall haue the ſame authoritie: And euery Alderman of London within his ward, and no other I. of P. ſhall enter or meddle there. 43. El. 3. S. Poore 1. &c.

Reliefe of Souldiers & Mariners.

77 The Iuſt. of P. of euery Countie within this Realme, within their ſeuerall limits at their quarter ſeſſions, or the more part of them there aſſembled, ſhal haue authoritie yearely to elect, of themſelues, or other ſufficient men of the ſame countie, Treaſurers for the collection of the reliefe of Souldiers and Mariners, which Treaſurers ſo in euery Countie to be choſen, ſhall continue, doe, performe, & giue vp their charge, in ſuch ſort, manner, and forme, and for ſuch time as is ſet forth by the Act made 43. El. & vnder ſuch, & the like penalties. 43. El. 3. S. Captaines &c. 18.

Bruers.

78 The Iuſt. of P. of euery Shire, where any Ale bruer, or beare bruer doth dwell (out of a Citie, Borough, or towne corporate, or other place where no head Officer hath any rule) haue power to ſette and tare by their diſcretions, the prices of euery barrell, kilderkin, or firkin, of Beare and Ale. And the Ale and Beare bruers, ſhall not ſell their Ale and Beare at any higher prices, than ſhall be to them by the ſaid I. aſſigned. 23. H. 8. 4. S. Bruers 2.

Veſſels.

79 The prices of all barrels, kilderkins, firkins, and other veſſels to be ſold for Ale, Beare, or Sope, to be vttered therein (where ſuch veſſels ſhal be made or ſold out of any citie, borough, or towne corporate) ſhall be tared by the Iuſt of P. or the more part of them, being preſent in the quarter Seſſions yerely next after Eaſter, at ſuch prices as they ſhall thinke reaſonable. 8. El. 9. S. Coopers 1.

80 The Iuſt. of Aſſ. I. of Gaole deliuerie, Iu. of Oier and Terminer, or I. of P. within

within any of the counties of Cumberland, Northumberland, Weſtmerland, and the Biſhoprick of Durham, at any of their generall Seſſions, ſhall haue authoritie to enquire, heare, and determine the offences and defaults of Sherifs, Maiors, Bailifes, Aldermen, and Clerks of the P. within the ſaid counties committed contrarie to the ſtat. prouided. 43. El. & to proceed againſt them by Information or Indictment, and to punish them by fine, impriſonment, or otherwiſe, as they ſhall thinke fit. 43. El. 13. S. Robberie 1. &c. Officers defaults.

81 The Iuſtices of peace within the Counties of Glouceſter and Somerſet, at their quarter Seſſions, haue authoritie to call before them all ſuch perſons which doe keepe any ferrie or paſſage ouer the riuer of Seuerne into Wales, or the forreſt of Deane, or out of Wales, or the ſaid Forreſt into England, and to bind them with ſufficient ſureties with them in recogniſance, in ſuch ſummes of money as it ſhall ſeeme to the diſcretion of the ſaid Iu. that they and euery of them, being paſſengers, and keepers of ferries and paſſages, ſhall not after the ſunne being ſet at the night, or before the ſunne riſing in the morning, conuey, or carrie, or cauſe to be conueyed or carried, any manner of perſon or perſons, or any kind of cattell, but ſuch perſons as they doe know and will anſwer for, and to know where their abidings, dwelling, and habitations be, and vpon requeſt made to them or any of the, ſhall from time to time diſcloſe, as well the ſame perſon or perſons, as the goods and cattels ſo paſſing the ſaid paſſages, vpon freſh ſuite made vpon any felonie, murder, or robberie, committed in the borders of the ſaid counties of Glouceſter & Somerſet, or in any other place within England, or Southwales. 26. H. 8. 5. S. Boats &c. 12. Keepers of ferries and paſſages.

82 Iuſtices of peace, or two of them at the leaſt, of the Shire where any towne, village, or hamlet not corporate is, where any cloth ſhall bee made or ſold, haue full power once euery yeare, to call before them by their precept, or otherwiſe, y. iiij. vj. viij. or moe (as they ſhall thinke good by their diſcretion) of the moſt honeſt, diſcreet, and indifferent men of euery ſuch towne, village, or hamlet, where any cloth ſhall be made or ſold, and them ſhall appoint to be Ouerſeers for one whole yeare then next following, within the towne, village, or hamlet, where the ſame ouerſeers ſhal be dwelling, charging them alſo vpon their oathes, and as they doe tender the honour and common wealth of the Realme, that they doe endeauour themſelues for that yeare, to ſee the Statute prouided 3. Ed. 6. for the true making of woollen cloth, to be obſerued within the limits of their charge. 3. Ed. 6. 2. S. Draperie 65. 66. 67. Ouerſeers of Cloth.

83 If any perſon (which ſhall retaile any of the clothes, kerſies, frizes, rugs, or cottons, of the ſeuerall makings ſpecified in the ſtatute prouided 5. Ed. 6. for ỹ true making of woollen cloth) doe preſent any cloth which is defectiue or faulty, vnto 2. Iuſt. of P. next adioyning, out of a citie, borough, or towne corporate, where ſuch cloth ſhall be found faultie, the ſame Iuſt. ſhall cauſe the ſame cloth to be cut into 3. equall peeces, whereof the K. ſhall haue one, the preſentor one other, and the third they ſhall retaine to themſelues. 5. Ed. 6. 6. S. Draperie 29. Faultie cloth.

84 Euery Iuſtice of Peace of the Countie where any Souldier ſhall be found, which ſhall giue, wilfully purloine, exchange, or put away any horſe, Mare, Gelding, or Harneis, wherewith he ſhall be ſet forth, ſhall commit the ſaid Souldier to ward, vntill he hath ſatiſfied the partie grieued for ſuch horſe, harneis, &c. ſo loſt, purloyned, &c. except the ſame ſouldier were impriſoned for the ſame offence before by the Lieutenant, Captaine, &c. or their deputies, and made reſtitution. 2. Ed. 6. 2. S. Captaine 1. Souldier.

85 The Iuſtices of peace of euery Shire, haue authoritie to enquire of the offendors of the ſtatute made 25. H. 8. (limiting what number of Sheepe men ſhall keepe, and haue at one time) as well by the oathes of twelue men, as by informatiõ of the K. ſubiects, & to make ſuch like proces vpon euery preſentment or informa- The number of Sheepe.

tion concerning the ſaid Act, as they vſe commonly to doe vpon preſentments before them of treſpaſſe, and no perſon being conuicted by confeſſion, or otherwiſe, y he hath done or attempted, contrarie to the ſaid Act, ſhalbe put to any leſſe fine, then after the rates of the forfeiture limited by the ſaid Act. 25.H.8.13.S.Sheepe 3.&c.

Coroners. 86 The Iuſtices of Aſſiſes, and Iuſtices of P. within the Countie where any default of a Coroner is (which vpon requeſt to him made, to come and inquire of any perſon ſlaine, drowned, or otherwiſe dead by miſaduenture, doth not his office therein diligently, or taketh any thing therefore) haue power to enquire thereof, & to determine the ſame, as well by examination, as by preſentment. 1.H.8.7.S. Coroners 15.

Eſchetors. 87 Iuſtices of peace haue power to heare & determine, vpon preſentment made before them in their Seſſions, all forfeitures committed by Eſchetors, in ſelling, or ſetting to farme their offices, or making any deputies, but ſuch for whom they will anſwer, contrarie to the ſtat. in that caſe prouided: In which preſentment like proces ſhall be had, as is vſed vpon indictments of treſpaſſe done with force & armes againſt the K. peace. 12.Ed.4.9.S.Eſchetors 12.

Sherifes. 88 Iuſtices of peace and other Iuſtices haue power to hold plea of any ſuit cõmenced by any perſon againſt the Sherife, or any of his miniſters, which by force of the Eſtreats of the Exchequer, doe leuie the Kings debt of him, and doe not tot the ſame which is paid, whereby the debt is another time demaunded of the ſame perſon. 42.Ed.3.9.S.Eſtreats 1.

Defaults of Sherifes. 89 Where Iuſtices, or a Iuſtice of peace, vpon complaint to him or them made of any forcible entrie into lands or tenements, or of detaining therof with force, do direct their precept to the Sherife to returne ſufficient and indifferent perſons dwelling about the ſaid lands, to enquire of ſuch entries: If the ſaid Sherife or bailife of franchiſe, hauing returne of writs, be ſlacke and doe not duely execute the ſaid precepts to them directed, then aſwell the ſaid Iuſtices, or Iuſtice, as the I. of Aſſiſe, and euery of them, at their comming into the countrey to take Aſſiſes, haue power to heare and determine ſuch defaults and negligences of the ſaid Sherifs & Bailifs, as well by bill at the ſuit of the P. grieued for himſelfe, as by indictment onely for the King. And if the Shirife or Bailife be attainted by indictment, or bil, he which ſueth for the King and himſelfe, ſhall haue the moitie of xx. l. (which the offendor ſhall forf.) together with his coſts and expences, and the proces againſt the offendor, ſhall be as in treſpaſſe vi & armis. 8.H.6.9 S.Force 2.

Extorcion of Sherifes. 90 Iuſtices of Aſſiſe in their Seſſions, Iuſtices of the one Bench and of the other, and Iuſtices of P. in their Countrey, haue power to enquire, heare, and determine, all the extorcions, and other offences committed by Sherifes, Vnderſherifs, Coroners, Bailifes of Franchiſes, and their miniſters, contrarie to the ſtatute for them prouided. 23.H.6. in any article or point of the ſame Stat. 23.H.6.10.S. Iurors 10.S.Sherifs 5.6.7.8.9.10.11.

Vſurie. 91 Iuſtices of Oyer and determiner, Iuſtices of Aſſiſe in their circuits, and I. of peace in their Seſſions, haue authoritie to enquire, heare, and determine of all and ſingular offences committed againſt the ſtat. prouided 37.H.8. againſt vſurie. 13.El.8.S.Vſurie 1.&c.

Weights and meaſures. 92 Two Iuſtices of peace (whereof one to be of the Quorum) haue authoritie aſwell by examination, as by enquirie to heare and determine the defaults of the head officers of Cities, Boroughs, and Market Townes, which do not cauſe twice in a yeare at the leaſt, all weights and meaſures therein to be brought before them, and the defectiue to be broken and burnt: And alſo of all buyers and ſellers, which doe not buy and ſell with weights and meaſures which be lawfull, and to ſet fines and amerciaments vpon the offendors, according to their diſcretions. 11.H.7.4. And alſo Iuſtices of peace haue power to enquire of falſifiers and counterfeiters of falſe

falſe weights, and to impriſon, and in priſon to hold them, vntill they be attainted or acquited, and if they be attainted, they ſhall remaine in priſon vntill they haue made fine by the Iuſt. diſcretion. And they ſhall enquire of, heare and determine the ſame, ſo often as they ſhall thinke needfull. 9. H. 5. 8. S. Weights 9. 10. 13.

93 All Iuſtices of peace within the limits of their commiſſion, haue authoritie to enquire, heare and determine the offences of all thoſe, which ſhall willingly purloine, deſtroy, or conuey away the egges of any kind of wildfoule, from the neſt or place where they ſhall be laied by the ſame wildfoule, like as they commonly vſe to do in caſes of treſpaſſe. 25. H. 8. 11. 3. E. 6. 7. S. Wildfoule. The egges of wildfoule.

94 Iuſtices of peace in euerie Shire of this realme, within the limits of their commiſſions, aſwell within franchiſes as without, haue authoritie to examine, heare, enquire, and determine, the defaults of ſuch as ſhall attempt to ſell any Wines in groſſe, or by retaile, contrarie to the ſtat. made 28. H. 8. limiting the prices of Wines, and to punish the offendors by impriſonment, or otherwiſe by their diſcretions. 28. H. 8. 14. S. Wines 1. 2. Wines.

95 The Iuſt. of P. of euerie Countie, Citie, and Towne Corporat, in their ſeuerall Seſſions, haue authoritie to enquire by the othes of xij. lawfull men, of all and euerie offence and offences done contrary to the ſtat. (made 7. E. 6. to auoid the great prices and exceſſe of Wines.) And euerie enquirie and preſentment taken, and had, by the othes of xij. lawfull men, ſhalbe of ſuch force, as if the ſame were taken or had in the K. Bench. And euerie of the paines, penalties, and forfeitures due by force of the ſaid Act, for any offence committed contrarie to the forme thereof, as ſhalbe found by preſentment, before the ſaid Iuſt. (no bill, plaint, action, or information thereof commenced in any of the K. Courts of Record) ſhall be equally diuided into two parts, whereof the one ſhalbe to the K. his heires, and ſucceſſors, and the other to the people of the towne or place where ſuch preſentment ſhall bee found. 7. E. 6. 5. S. Wines 6. &c. Wines.

96 Al Iuſt. of P. in their Seſſions, within the limits of their commiſſions, haue authoritie to enquire, as well by the othes of xij. men, as otherwiſe by information, and thereupon to heare & determine al and ſingular ſuch offences as ſhalbe done in the land, or within any hauen, or peer, contrarie to the ſtat. prouided 5. El. touching certaine politike conſtitutions made for the maintenance of the Manie: and if any perſon ſhall be preſented before the ſaid Iuſtices within the limits of their authorities, or any information giuen to them, of any offendor of the ſaid Act, then they haue authoritie, vpon ſuch preſentment or information, to make Proces againſt the offendors, as is commonly vſed vpon indictments of treſpaſſe. And if any be preſented, and afterward conuicted by confeſſion, or otherwiſe, then he ſhall ſuffer no leſſe puniſhment, or forfeiture, then in the ſaid ſtat. is limited: For the leuying of the which forf. the ſaid Iuſtices within the limits of their commiſſions, haue authoritie to make ſuch proces as they ſhall thinke good by their diſcretions. But no information at the ſuit of any perſon concerning the ſaid Act, ſhall be of effect, to put any perſon to anſwer, or forfeiture, except the ſame be commenced within halfe a yeare after the offence done: Nor any information or preſentment for the Ma. ſhall be of effect &c. except the ſame be within one yere after the offence committed, contrarie to the ſaid Act 5. El. 5. 1. Ia. 25. To continue til the end of the firſt Seſſion of the nert Parliament now nert enſuing. S. Ships 1. 2. 3. 4. 5. Qu. for the force of this Braunch. Maintenance of the Manie.

97 The Iuſt. of peace within any Countie of this Realme, and euerie of them haue power to enquire, heare, and determine the defaults and offences committed (contrarie to the Statute prouided 17. E. 4. for the true making of Myle.) And if it be found, or may appeare to the ſaid Iuſtices, or any of them, by examination, or otherwiſe, that any perſon hath offended contrarie to the ſaid Act, then the ſame Iuſtices Tile-makers.

ſtices ſhall aſſeſſe vpon the offendor no leſſe fine, then in the ſaid ſtatute is limited. And the ſame Iuſt. haue power to aſſigne expert perſons in the occupation of tyle making, to ſearch and examine the making thereof. And euery preſentment made by the ſaid ſearchers, of any defaults before the ſaid I. at their next Seſſions, ſhall be as effectuall in the law, as the preſentment of xij. men. And the Iuſt. haue power to examine, enquire, and determine the defaults of Searchers, in like maner as they haue of Tylemakers. 17. E. 4. 4. S. Tyles.

Regrating of wools. 98 Iuſtices of peace in their open Seſſions haue authoritie, vpon information to heare and determine the offences of Woll drivers, or Woll buyers, inhabiting within the Parish of Halifax, which ſhall ſell their wools at any other place, forth of the towne of Halifax. And alſo of all ſuch as ſhall buy their Wools at Halifax, and ſell them againe wrought in yarne or cloth, and to make Proces againſt the offendors, as in other caſes to bee determined before them. 2. & 3. Ph. & Mar. 13. S. Wools 5.

Additions of Iurors and their iſſues. 99 Iuſtices of Oyer and Determiner, within the limits of their commiſſion, I. of Aſſiſes in their circuits, & I. of peace, as wel within liberties as without, within the limits of their commiſſion, ſhal haue full power and authority to enquire, heare and determine all and euerie offences committed, or to be committed within their ſeuerall limits, circuit, or precinct of their commiſſion or commiſſions (contrarie to the ſtatute made 27. El. for the leuying of iſſues loſt by Iurors) and to award forth proces of execution for the leuying of the ſaid forfeitures. 27. Eliz. 7. 39. Eliz. 18. S. Iurors 33. 34.

Swearing of vndersheriffes. 100 The Iuſtices of Aſſiſe, and Iuſtices of Peace, in their open Seſſions, ſhal haue full power, within the limits of their authoritie, to heare and determine the defaults done (contrarie to the Statute prouided 27. Eliz. for the ſwearing of Vndersheriffes, and other Officers) as wel by preſentment and information, as indictment: And vpon conuiction of the offenders to award execution for the leuying of the forfeitures, by Fieri facias, or by Attachment, Capias, or Exigent. 27. Eliz. 12. S. Sherife 32. 33. 34.

Cottages, Inmates. 101 All Iuſtices of Aſſiſes, and Iuſtices of peace in their open Seſſions, and euerie Lord within the precinct of his Leet, and none others, ſhall haue authoritie within their ſeuerall Limits and Iuriſdictions, to enquire of, heare, and determine all offences committed (contrarie to the Act made Anno 31. Elizabeth.) againſt erecting and maintaining of Cottages, and Inmates, as well by Indictment, as otherwiſe by preſentment or information, and to award execution for the leuying of the ſeuerall forfeitures in the ſaid Statute limited, by Fieri facias, Elegit, Capias, or otherwiſe, as the cauſe ſhall require. 31. Eliz. 7. S. Cottages 1. Leets 19.

Baſtards. 102 Two Iuſtices of Peace, whereof one to be of the Quorum, in or nere vnto the limits where the Parish Church is, within which Parish any Baſtard begotten and borne out of lawfull Matrimonie ſhall be borne (vpon examination of the cauſe and circumſtance) ſhall and may, by their diſcretions, take order, as well for the puniſhment of the mother, and reputed father of ſuch baſtard child, and alſo for the better reliefe of euerie ſuch Parish, in part, or in all. And ſhall and may likewiſe, by like diſcretion, take order for the keeping of euerie ſuch baſtard child, by charging ſuch mother or reputed father with a paiment of money weekely, or other ſuſtentation, for the reliefe of ſuch child, in ſuch wiſe as they ſhall thinke conueniſent. 18. Eliz. 3. S. Baſtardie 1. 1. Iac. 25. To continue vntill the end of the firſt ſeſſion of the next Parliament.

Certificat of Agnus Dei, Croſſes &c. 103 If any perſon to whom any Agnus Dei, Croſſes, Pictures, or Beads ſhall bee offered, doe bring the partie that made him that offer, to a Iuſtice of Peace of that Shire, or within three dayes after ſuch offer made, doe diſcloſe to him the

name

name of the partie, his dwelling, or place of reſort: and if the ſame Iuſtices doe not within viij. dayes, next after any ſuch matter ſhall bée ſhewed vnto him, declare the ſame to one of the Quænes priuie Counſell: Then the Iuſtices ſhall incurre the danger, paine, and forf. of Præmunire, prouided 16. Rich. 2. 13. Eliz. 2. S. Rome 5. 6.

Tithes.

104 Two Iuſtices of Peace, whereof one to be of the Quorum, vpon information, certificat, or complaint, to them made in writing, by any Eccleſiaſtical Iudge, that gaue ſentence againſt any perſon, which obſtinatly and wilfully refuſed to pay his tithes, or ſuch ſumme of money, wherein he was condemned for the ſame, haue authoritie to cauſe the ſame partie to be attached, and committed to the next gaole, vntill he haue found ſufficient ſurety to be bound to the King, to performe the ſame ſentence. 32. H. 8. 7. And the like authoritie haue any of the K. Counſell, or two I. of peace, whereof one to be of the Quorum &c. vpon the Eccleſiaſticall Iudges requeſt, for any contempt, contumacie, or other miſdemeanor of the partie defendant in any ſuit for ſubtraction of tithes, offerings, or other duties of the church, vntil he haue found ſuretie, vt ſupra &c. 27. H. 8. 20. S. Tithes 22.

Certificat of Recognisance

105 Euerie Iuſtice of Peace, within the Realme, that ſhall take any recognisance for the kéeping of the peace, ſhall certifie, ſend, or bring the ſame recognisance at the next Seſſions of peace, where hée is, or hath béene Iuſtice, that the partie ſo bound may bée called. And if the partie make default, the ſame default then there to be recorded. And the ſame recognisance, with the record of that default, ſhalbe ſent, and certified into the Chauncerie, the Kings Bench, or into the Exchequer. 3. H. 7. 1.

Bailement of offendors.

106 No Iuſtice or Iuſtices of Peace ſhal let to baile or mainprize any ſuch perſon or perſons, which for any offence by any of them committed, be declared, not to be repleuied, or bailed, or be forbidden to be repleuied or bailed by the ſtatute made 3. E. 1. Nor any perſon arreſted for manſlaughter, or felonie, or ſuſpition of manſlaughter or felonie, being baileable by the law, ſhall be let to baile or mainprize by any Iuſtice of peace, if it be not in open Seſſions, except it bee by two Iuſtices of peace at the leaſt, whereof one to be of the Quorum, And the ſame Iuſtices to bee preſent together at the time of the ſaid bailement or mainprize: which bailement or mainprize they ſhall certifie in writing, ſubſcribed or ſigned with their own hands at the next generall gaole deliuerie, to be holden within the Countie where the perſons ſhall be arreſted or ſuſpected. And the ſaid Iuſtices, or one of them, being of the Quorum, where any ſuch priſoner is brought before them, for manſlaughter or felonie, before any bailement or mainprize, ſhall take the examination of the priſoner, and information of them that bring him, of the fact, and circumſtances therof: And the ſame, or as much thereof as ſhall be materiall to proue the felonie, ſhal put in writing, before they make the bailement: which examination, together with the bailement, the ſaid Iuſtices ſhall certifie at the next generall gaole Deliuerie, to be holden within the limits of their commiſſion. And alſo the ſaid Iuſtices haue authoritie to bind all ſuch by Recognisance, or obligation, as do declare any thing materiall, to proue the ſaid manſlaughter or felonie, to appeare at the next generall Gaole Deliuerie to be holden within the Countie, Citie, or Town corporat, where the triall thereof ſhall be, then and there to giue euidence againſt the partie ſo indicted, at the time of his triall, and ſhall certifie euerie ſuch bond taken before them at the next generall gaole Deliuerie. And if any Iuſtice of peace, or Quorum, ſhal offend in any thing contrarie to the true intent and meaning of this Act, the Iuſtices of Gaole Deliuerie of the Shire, Citie, Towne &c. where ſuch offence ſhalbe committed, vpon due proofe thereof, by examination before him, ſhall for euerie offence ſet ſuch fine vpon euerie of the ſame Iuſtices of Peace, as the ſame Iuſtices of Gaole Deliuerie ſhall thinke meet. But the Iuſtices of peace, and Coroners in

London

London and Middleſex, and other Cities, Boroughes, and Townes Corporat in England and Wales, haue authoritie to let to baile felons and priſoners, as they haue béene heretofore accuſtomed: But they ſhall take examinations and bonds, as is aforeſaid, vpon euerie bailement by any of them made, and ſhall certifie them at the next gaole deliuerie to be holden within the Shire, Citie, Borough, &c. vnder the foreſaid paine &c. 1. & 2. P. & M. 13. S. Mainpriſe.

Impriſonment of offendors.

107 In like ſort euerie Iuſtice or Iuſtices of peace, before whom any perſon ſhalbe brought for manſlaughter, or felony, or for ſuſpition thereof, before he or they ſhall commit ſuch priſoner to ward, ſhall take the examination of ſuch priſoner, and information of ſuch as bring him, of the fact, and circumſtances thereof, & the ſame, or as much thereof as ſhall be materiall to proue the felonie, ſhall put in writing within two dayes after the ſaid examination, and the ſame ſhall certifie in ſuch maner and forme, and at ſuch time as they ſhould and ought to doe, if the priſoner had béene bailed, or let to mainpriſe, vpon ſuch paine, as in the former ſtatute is expreſſed, for not taking, or not certifying examinations. And the ſaid Iuſtices haue authoritie to bind all ſuch by Obligation or Recogniſance, as do declare any thing materiall to proue the manſlaughter or felonie, to appeare at the next generall gaole Deliuerie &c. to giue euidence &c. and ſhall certifie the ſaid bonds at the next generall gaole Deliuerie. Vt ſupra. 2. & 3. P. & M. 10.

Watermen.

108 The I. of peace within the Shires nert adioyning to the riuer of Thames betwirt Graueſend and Windſor, within their ſeuerall iuriſdictions, haue authoritie vpon complaint made vnto them, or any of them, by the eight Ouerſéers of Watermen, or two of them, or by the maſter of any ſeruant, being a Waterman, to examine, heare, and determine all complaints and offences, committed by any ſuch perſon that ſhall offend, contrarie to the true meaning of the Stat. prouided 2. & 3. P. & M. for Watermen vpon the riuer of Thames, and to ſet at libertie euery perſon impriſoned by the ſaid Ouerſéers, if iuſt cauſe ſhall appeare vnto them ſo to do: And to correct the ſaid Ouerſéers, that ſhal without good cauſe puniſh any perſon, by colour of the ſaid Act. 2. & 3. P. M. 16. S. Boats 2.

One commiſſion of the peace ſhall not be a Superſedeas to another.

109 All & ſingular commiſſions granted, or to be granted to any citie, or towne corporat not being a countie in it ſelf, for the kéeping of their peace, and deliuerie of the priſoners remaining in the gaole of any ſuch citie or town corporat, ſhal remain and be good in the Law, to all intents, the granting of any like commiſſion of peace or gaole deliuerie, to any Commiſſioner or Commiſſioners, for the conſeruation of the peace, or deliuerie of the priſoners, remaining in the gaole of any Shire, Lath, Rape, Riding, or Wapentake, within this Realme of England, bearing date after the ſaid commiſſion or commiſſions granted to any ſuch Citie or Towne corporat, not being a Countie in it ſelfe, to the contrarie notwithſtanding. 2. & 3. P. & M. 18. S. Diſcontinuance of proces 6.

Statutes declared at Seſſions.

110 The Act made againſt vnlawfull and rebellious aſſemblies, or the effect thereof, ſhall be read or declared at euerie Quarter Seſſions (1. M. 12.) And ſo ſhal the Stat. made 5. El. 1. for aſſurance of the K. power ouer al eſtates. And ſo ſhal the ſtatute made 33. H. 8. for the maintenance of artillerie, and debauching vnlawfull games.

Sherife not Iuſtice.

1 No Sherife ſhall be Iuſtice of Peace in the Countie where and when he is Sherife. S. Sherife 21.

Indictments in Turnes.

2 Sherifes ſhall deliuer all Indictments and Preſentments, taken before them at their Turnes, to the Iuſt. of peace, and the Iuſtices ſhal make proces againſt, arraigne, and deliuer the offendors. S. Sherifes 12. 13. 14. 15.

Examination of Sherifes, &c.

3 Two Iuſt. of peace may examine Sherifes, Vnderſherifes, Shire Clerkes, and Bailifes of Hundreds, of entring of Plaints before them, & execution of proces, who ſhall appoint thoſe Iuſtices, and how they ſhall reforme offences. S. Sherifes 16. 20.

4 The

4 The Sherifes ſhall make no Eſtreats to leuie amerciaments, vntill two Iuſtices haue had the ouerſight thereof. S. Sherifes 18. Eſtreats.

5 Iuſtices may ſweare the Sherifes Baylifes to gather but their duetie, and after examine them thereof. S. Sherifes 19. Sherifes Baylifes.

6 Where I. of peace may direct their precept, to be executed out of the limits of their Commiſſion. S. Priſon 2. Indictments 2.3. Labourers 28. Bridges 5. Precept into another coũty

7 To what priſon I. of peace ſhall commit offendors. S. Priſon 1. Offendors.

8 A Iuſtice of peace ſhall receiue the names of thoſe which ſhoot in gunnes, and cauſe them to be recorded. S. Gunnes 11. Gunners.

9 The authoritie of Iuſt. of peace for the taxing of others for the reliefe of ſuch as be infected with the plague. S. Plague 1.2.

10 Iuſt. of peace may reforme panels returned before them. S. Iurors 8. Panels.

11 Iuſtices of peace may take enqueſts to enquire of concealements of other enqueſts. S. Iurors 9. Concealmẽts

12 For Iuſt. authoritie in taking Mariners to ſerue on the ſea. S. Mariners 3. Mariners.

13 Iuſt. within London, and ſeuen miles compaſſe, ſhall aſſiſt the Colledge of Phyſitians, &c. S. Phyſitians 10. Phyſitians.

14 None haue authoritie to make I. of peace, but the King. S. Prerogatiue 17. Making Iuſtices.

15 I. of peace ſhall arreſt thoſe which commit riots, enquire of Riots, and certifie the ſame. S. Riots 1.2.3.5. Riots.

16 Commiſſions ſhalbe awarded, to enquire of the default of I. of peace touching enquirie of Riots. S. Riots 6. Inquirie of Riots.

17 What the Iuſtices ſhall forfeit, which do not certifie the names of the maintainers, or imbracers, with their miſdemeanors, by whoſe meanes any Riot is not found by the Iurie S. Riots 15. Maintainers

18 For the duetie of I. of peace, concerning the executing of the ſtatute, made againſt vnlawfull and rebellious aſſemblies. S. Riots 16. &c. Rebellions.

19 For the duetie of I. of peace, concerning the examination and puniſhment of any, which ſhall diſturbe any Preacher in his Sermon &c. S. Preachers 1.2.3. Preachers.

20 Iuſtices of peace ſhall receiue Dockets of the high Conſtables &c. And deliuer them ouer to the Lord Steward. S. Purueyors 28. Dockets.

21 Where I. of peace ſhall execute the commiſſion of Sewers. S. Sewers 16. Sewers.

22 Iuſtices of peace ſhall limit Victualers gaine, and puniſh them which take exceſſiue. S. Victualers 3. Victualers.

23 Iuſtices of peace may enter into a Marchants houſe which denieth to ſel wine at the price aſſeſſed &c. S. Wines 4. Vintners.

24 None ſhall ſell Wines in Townes not corporat, but by the aſſignment of the Iuſt. of peace. S. Wines 9. Wines.

25 Where Iuſtices ſhall diuide a wood, if the owner and commoners thereupon cannot agree. S. Woods 8.9. Woods.

26 For the authoritie of Iuſtices in puniſhing thoſe which go or ride armed. S. Armor 10. Armor.

27 The forfeiture of a Iuſt. of peace, which hauing notice of a Ieſuite or Prieſt doth not thereof aduertiſe ſome of the Priuie Counſell &c. S. Ieſuits 10. Ieſuite.

28 There ſhalbe I. of peace in Wales, their authoritie, dutie, &c. S. Wales 30.31. Wales.

29 I. of peace ſhall enquire of the default of Watchers on the ſea coaſt. 5. H. 4.3.

30 For the authoritie of Iuſtices of peace touching the execution of the ſtatute of Huy and Cry. S. Huy and Cry 4.10. Huy & Cry.

Labourers, Artificers, Seruants, Apprentices.

NO perſon ſhall retaine, hire, or take into ſeruice, or cauſe to be retained, hired, or taken into ſeruice, nor any perſon ſhall bee retained, &c. to worke for any leſſe

London and Middleſex, and other Cities, Boroughes, and Townes Corporat in England and Wales, haue authoritie to let to baile felons and priſoners, as they haue béene heretofore accuſtomed: But they ſhall take examinations and bonds, as is aforeſaid, vpon euerie bailement by any of them made, and ſhall certifie them at the next gaole deliuerie to be holden within the Shire, Citie, Borough, &c. vnder the foreſaid paine &c. 1. & 2. P. & M. 13. S. Mainpriſe.

Impriſonment of offendors.

107 In like ſort euerie Iuſtice or Iuſtices of peace, before whom any perſon ſhalbe brought for manſlaughter, or felony, or for ſuſpition thereof, before he or they ſhall commit ſuch priſoner to ward, ſhall take the examination of ſuch priſoner, and informatiõ of ſuch as bring him, of the fact, and circumſtances thereof, & the ſame, or as much thereof as ſhall be materiall to proue the felonie, ſhall put in writing within two dayes after the ſaid examination, and the ſame ſhall certifie in ſuch maner and forme, and at ſuch time as they ſhould and ought to doe, if the priſoner had bæne bailed, or let to mainprize, vpon ſuch paine, as in the former ſtatute is expreſſed, for not taking, or not certifying examinations. And the ſaid Iuſtices haue authoritie to bind all ſuch by Obligation or Recogniſance, as do declare any thing materiall to proue the manſlaughter or felonie, to appeare at the next general gaole Deliuerie &c. to giue euidence &c. and ſhall certifie the ſaid bonds at the next generall gaole Deliuerie. Vt ſupra. 2. & 3. P. & M. 10.

Watermen.

108 The I. of peace within the Shires nert adioyning to the riuer of Thames betwirt Grauеſend and Windſor, within their ſeuerall iuriſdictions, haue authoritie vpon complaint made vnto them, or any of them, by the eight Ouerſéers of Watermen, or two of them, or by the maſter of any ſeruant, being a Waterman, to examine, heare, and determine all complaints and offences, committed by any ſuch perſon that ſhall offend, contrarie to the true meaning of the Stat. prouided 2. & 3. P. & M. for Watermen vpon the riuer of Thames, and to ſet at libertie euery perſon impriſoned by the ſaid Ouerſéers, if iuſt cauſe ſhall appeare vnto them ſo to do: And to correct the ſaid Ouerſéers, that ſhal without good cauſe puniſh any perſon, by colour of the ſaid Act. 2. & 3. P. M. 16. S. Boats 2.

One commiſſion of the peace ſhall not be a Superſedeas to another.

109 All & ſingular commiſſions granted, or to be granted to any citie, or towne corporat not being a countie in it ſelf, for the kéeping of their peace, and deliuerie of the priſoners remaining in the gaole of any ſuch citie or town corporat, ſhal remain and be good in the Law, to all intents, the granting of any like commiſſion of peace or gaole deliuerie, to any Commiſſioner or Commiſſioners, for the conſeruation of the peace, or deliuerie of the priſoners, remaining in the gaole of any Shire, Lath, Rape, Riding, or Wapentake, within this Realme of England, bearing date after the ſaid commiſſion or commiſſions granted to any ſuch Citie or Towne corporat, not being a Countie in it ſelfe, to the contrarie notwithſtanding. 2. & 3. P. & M. 18. S. Diſcontinuance of proces 6.

Statutes declared at Seſſions.

110 The Act made againſt vnlawfull and rebellious aſſemblies, or the effect thereof, ſhall be read or declared at euerie Quarter Seſſions (1. M. 12.) And ſo ſhal the Stat. made 5. El. 1. for aſſurance of the R. power ouer al eſtates. And ſo ſhal the ſtatute made 33. H. 8. for the maintenance of artillerie, and debarring vnlawfull games.

Sherife not Iuſtice.

1 No Sherife ſhall be Iuſtice of Peace in the Countie where and when he is Sherife. S. Sherife 21.

Indictments in Turnes.

2 Sherifes ſhall deliuer all Indictments and Preſentments, taken before them at their Turnes, to the Iuſt. of peace, and the Iuſtices ſhal make proces againſt, arraigne, and deliuer the offendors. S. Sherifes 12. 13. 14. 15.

Examination of Sherifes, &c.

3 Two Iuſt. of peace may examine Sherifes, Vnderſherifes, Shire Clerkes, and Bailifes of Hundreds, of entring of Plaints before them, & execution of proces, who ſhall appoint thoſe Iuſtices, and how they ſhall reforme offences. S. Sherifes 16. 20.

4 The

4 The Sherifes ſhall make no Eſtreats to leuie amerciaments, vntill two Iuſtices haue had the ouerſight thereof. S. Sherifes 18. Eſtreats.

5 Iuſtices may ſweare the Sherifes Baylifes to gather but their duetie, and after examine them thereof. S. Sherifes 19. Sherifes Baylifes.

6 Where I. of peace may direct their precept, to be executed out of the limits of their Commiſſion. S. Priſon 2. Indictments 2.3. Labourers 28. Bridges 5. Precept into another coũty

7 To what priſon I. of peace ſhall commit offendors. S. Priſon 1. Offendors.

8 A Iuſtice of peace ſhall receiue the names of thoſe which ſhoot in gunnes, and cauſe them to be recorded. S. Gunnes 11. Gunners.

9 The authoritie of Iuſt. of peace for the taxing of others for the reliefe of ſuch as be infected with the plague. S. Plague 1.2.

10 Iuſt. of peace may reforme panels returned before them. S. Iurors 8. Panels.

11 Iuſtices of peace may take enqueſts to enquire of concealements of other enqueſts. S. Iurors 9. Concealmẽts

12 For Iuſt. authoritie in taking Mariners to ſerue on the ſea. S. Mariners 3. Mariners.

13 Iuſt. within London, and ſeuen miles compaſſe, ſhall aſſiſt the Colledge of Phyſitians, &c. S. Phyſitians 10. Phyſitians.

14 None haue authoritie to make I. of peace, but the King. S. Prerogatiue 17. Making Iuſtices.

15 I. of peace ſhall arreſt thoſe which commit riots, enquire of Riots, and certifie the ſame. S. Riots 1.2.3.5. Riots.

16 Commiſſions ſhalbe awarded, to enquire of the default of I. of peace touching enquirie of Riots. S. Riots 6. Inquirie of Riots.

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None of these ſeruants ſhal be retained vnder a yere.

leſſe time then for one whole yeare, in any of the Sciences or Artes of Clothiers, Woollen Cloth Weauers, Tuckers, Fullers, Clothworkers, Sheremen, Diers, Hoſiers, Tailers, Shoomakers, Tanners, Pewterers, Bakers, Bruers, Glouers, Cutlers, Smithes, Ferrors, Curriers, Sadlers, Spurriers, Turners, Cappers, Hatmakers or Feltmakers, Bowyers, Fletchers, Arrow head makers, Butchers, Cookes, or Millers. 5. El. 4.

Perſons compellable to ſerue in handicrafts.

2 Euerie perſon vnmaried, and euerie other perſon, vnder the age of xxx. yeres maried, hauing beene brought vp in any of the ſaid Artes, or Sciences, or that hath vſed or exerciſed any of them by the ſpace of three yeares, or more (and not hauing lands, tenements, rents, or hereditaments, copihold, or freehold, of one eſtate of inheritance, or for terme of any life, or liues, of the cleere yearely value of xl.s. not being worth of his owne goods the cleere value of x.l. and ſo allowed by two Iuſt. of the peace of the Countie where he hath moſt commonly inhabited by the ſpace of one whole yeare, and vnder their hands and ſeales, or by the Maior, or other head Officer of the Citie, Borough, or Towne corporat, where ſuch perſon hath moſt commonly dwelled by the ſpace of one whole yeare, and two Aldermen, or two other diſcreet Burgeſſes of the ſame Citie &c. if there be no Aldermen, vnder their hands and ſeales, not being retained with any perſon in huſbandrie, or in any of the foreſaid Arts, according to this Statute, not lawfully retained in none other Art, or Science, not being lawfully retained in houſhold, or in any office with any Nobleman, or Gentleman, or others, according to the Lawes of this Realme, not hauing a conuenient Farme or other holding in tillage, wherupon he may employ his labour) ſhall during the time that he or they ſhall bee ſo vnmaried, or vnder the ſaid age of xxx. yeares, vpon requeſt made by any perſon vſing the Art or Myſterie wherein the ſaid perſon ſo required hath beene exerciſed, as is aforeſaid, be retained, and ſhall not refuſe to ſerue, according to the tenor of this ſtat. vpon the paine and penaltie hereafter mentioned. 5. El. 4.

Perſons compellable to ſerue in huſbandrie.

3 Euerie perſon betweene the age of xij. yeares, and the age of lx. yeres (not being lawfully retained, nor apprentice with any Fiſherman or Mariner, haunting the Seas, nor being in ſeruice with any Kidder or Carrier of any Corne, or meale, for prouiſion of the Citie of London, nor with any Huſbandman in Huſbandrie, nor in any Citie, Towne corporat, or Market Towne, in any of the Arts or Sciences appointed by this Statute to haue or take apprentices, nor being retained by the yeare, or halfe the yeare at the leaſt, for the digging, ſeeking, finding, getting, melting, fining, working, trying, or making of any ſiluer, tinne, lead, yron, copper, ſtone, ſeacole, ſtonecole, mineracole, or cherkcole, nor being occupied in or about the making of any glaſſe, nor being a gentl' borne, nor being a ſtudent, or ſcholler in any of the Vniuerſities, or in any Schoole, nor hauing lands, tenements, rents, or hereditaments for terme of life, or of one eſtate of inheritance of the cleere yearely value of xl.s. nor being worth in goods and cattels to the value of x.l. nor hauing a father or mother then liuing, or other anceſtor, whoſe heire apparant he is, then hauing lands, tenements, or hereditaments, of the yearely value of x.l. or aboue, or goods or cattels of the value of xl.l. nor being a conuenient or neceſſarie officer, or ſeruant lawfully retained, as is aforeſaid, nor hauing a conuenient farme, or holding, whereupon he may or ſhall imploy his labour, nor being otherwiſe lawfully retained, according to the true meaning of this Stat.) ſhalbe compelled to be retained to ſerue in huſbandry, by the yeare, with any perſon that keepeth huſbandry, and will require any ſuch perſon to ſerue, within the ſame ſhire where he ſhall be ſo required. 5. El. 4.

Retaining or giuing wages contrarie to the ſtatute.

4 If any perſon do by any ſecret meanes, directly or indirectly retaine, or keepe any ſeruant, workman, or labourer, or doth giue any more or greater wages, or other commoditie, contrarie to the true meaning of this Statute, or contrarie to the

rates

rates or wages assessed or appointed in the Proclamations made for that purpose, in the Countie, city, or borough where he doth inhabite, then he that shall so offend, & be thereof lawfully convicted before any J. of Peace of the County, or the Maior, or other head officer of the city, borough, or towne corporat, and two Aldermen, or two discreet burgesses, if there be no Aldermen, or before the L. President & Councell in the marches of Wales, or the Lord President & Counsell in the North parts, shall suffer imprisonment by the space of ten daies, without baile or mainprise, and forf. v. l. And euery person that shalbe so retained & take wages contrary to this statute, or any branch thereof, or of the said Proclamation, & shall be thereof conuicted before the J. aforesaid, or any two of them, or before the Maior, or head Officers aforesaid, shall suffer imprisonment by the space of xx. daies without baile or mainprise. And euery retainer, promise, gift, or paiment of wages, or other thing whatsoeuer, contrary to the true meaning of this statute, and euery writing and bond made for that purpose, shalbe vtterly void. 5. El. 4. How the Wages shall be rated. S. Iustices of Peace 66.

Taking of wages contrary to the statute.

5 If any person after he hath retained any seruant, shall put away the same seruant before the end of his terme, vnlesse it be for some reasonable & sufficient cause to be allowed before two J. of Peace, or one at the least within the said County, or before the Mayor, or other chiefe Officer of the citie, borough, or towne corporat, wherein the said Master, Mistres, or Dame inhabiteth, Or if any such Master, Mistres, or Dame, shal put away any such seruant at the end of his terme, without one quarters warning giuen before the said end: then euery such Master, &c. so offending, shall forf. xl. s. vnlesse he be able to proue by two sufficient witnesses, some reasonable & sufficient cause of putting away of his seruant during the terme, or a quarters warning giuen before the end thereof, before the Iustices of Oier & Terminer, Iustices of Assise, Iustices of the Peace in the Quarter Sessions, or before the Mayor or head officer of any city, borough, or towne corporat, & two Aldermen, or two other discreet Burgesses of the same city &c. if there be no Aldermen, or before the Lord President and Councell in the Marches of Wales, or in the North. 5. Eliz. 4.

Putting away a seruant within the terme.

Putting away the seruant without a quarters warning.

6 If any seruant retained according to this statute, shall depart from his Master, Mistres, or Dames seruice before the end of his terme, vnlesse it be for some reasonable & sufficient cause, to be allowed as is aforesaid: Or if any seruant at the end of his terme depart from his Masters &c. seruice, without one quarters warning giuen before the end of his terme, & before two lawfull witnesses: Or if any person compellable and bound to be retained and to serue in husbandry, or in any other sciences aboue remembred by the yeare, or otherwise, do vpon request made, refuse to serue for the wages rated and appointed by the Queens Proclamation in that Countie, Citie, Borough, where &c. according to the forme of this statute, Or promise or couenant to serue, and doe not serue according to the tenor of the same, then euery seruant so departing away, and euery person so refusing to serue for such wages, vpon complaint thereof made by the Master &c. of the said seruant, or by the party, to or with whom the said refusall is made, or promise not kept, to two Iustices of Peace of the Countie, or to the Maior or other head officer of the Citie, Borough, &c. and two Aldermen, or two other discreet Burgesses of the same citie, &c. if there be no Aldermen where the said Master &c. or the said party, to or with whom the said refusall is made, or promise not kept, dwelleth, or to either of the said Lords Presidents and Councell of Wales, and the North, the said Iustices, Presidents, and Councell, and the said Maiors, head officers, and other persons of Cities, Boroughes, &c. or any of them, haue power to heare & examine the matter, and finding the said seruant, or the said partie so refusing, faultie in the premisses, vpon such proofes and good matter, as to their discretions shall be thought sufficient,

The seruant departing within his terme, without warning, or refusing to serue.

to commit him to ward, there to remaine without baile or mainprize, vntill he shall be bound to the party, to whom the offence shalbe made to serue and continue with him, for the wages limitted according to the tenor of this statute, & then to be discharged vpon his deliuery, without paying any fee to the Gaoler where he shalbe so imprisoned. 5. El. 4.

Seruants shall not depart into other townes without Testimoniall.

7 None of the said retained persons in husbandry, or in any the arts or sciences aboue remembred, after the time of his retainer expired, shall depart forth of one citie, towne, or parish to another, Nor out of the Lath, Rape, Wapentake, or Hundred, Nor out of the Countie or Shire where he last serued, to serue in any other Citie, towne corporat, Lath, Rape, Wapentake, Hundred, Shire, or County, vnlesse he haue a Testimoniall vnder the seale of the said Citie or Towne corporate, or of the Constable, or other head Officer, and of two other honest houholders of the Citie, Towne, or Parish where he last serued, declaring his lawfull departure, and the name of the Shire & place where he dwelled last before his departure, according to the forme hereafter expressed: which certificat or testimoniall shalbe writtē & deliuered vnto the said seruant, & also registred by the Parson, Vicar, or Curate of the parish where such Master, Mistresse, or Dame doth dwell, taking for the doing thereof y.d. and not aboue. Memorandum, that A.B. late seruant to C.D. of E. husbandman, or Taylor &c. in the said Countie, is licenced to depart from his said Master, & is at his liberty to serue elsewhere, according to the Statute in that case made & prouided. In witnesse whereof &c. Dated the day, moneth, yeare, & place &c. of the making thereof. 5. El. 4.

The forme of the Testimoniall.

No seruant shalbe retained without shewing his Testimoniall.

8 No person that shal depart out of seruice, shalbe retained or accepted into any other seruice, without shewing before his retainor, such Testimoniall as is before remembred, to the chiefe Officer of the Towne corporat, and in euery other towne and place to the Constable, Curate, Church-warden, or head Officer of the same where he shalbe retained to serue, vpon the paine that euery such seruant so departing without such Certificat or Testimoniall, shal be imprisoned vntill he procure a testimoniall or certificat, the which if he cannot do within the space of xxj. daies next after the first day of his imprisonment, then the said person shall be whipped, & vsed as a Vagabond, according to the Lawes in that case prouided. And euery person retaining any such seruant, without shewing such Testimoniall, or Certificat, shall forfeit for euery such offence v.l. And if any such person shalbe takē with any counterfeit or forged Testimoniall, then he shall be whipped as a Vagabond. 5. Eliz. 4.

Counterfeit Testimoniall.

How long workmen shal continue at their labour.

9 All Artificers and Labourers, being hired for wages by the day or weeke, shall betwixt the middest of the moneths of March and September, be, and continue at their worke, at or before fiue of the clocke in the morning, and continue at worke, and not depart vntill betwixt vj. and vij. of the clocke at night, except it be in time of breakfast, dinner, or drinking, the which times at the most shall not exceed aboue two houres and a halfe in the day, that is to say, at euery drinking one halfe houre, for his dinner one houre, and for his sleepe, when he is allowed to sleepe (the which is from the middest of May to the middest of August) halfe an houre at the most, and at euery breakfast one halfe houre. And all the said artificers and labourers, betweene the middest of September, and the middest of March, shall be and continue at their worke, from the spring of the day in the morning vntil night, except it be in time afore appointed for breakfast & dinner, vpon paine to forfeit one peny for euery houres ablence, to be defalked out of his wages that shal so offend. 5. Eliz. 4.

None shall depart from his worke before it be finished.

10 Euery Artificer and Labourer that shall be lawfully retained, in, or for the building, or repairing of any Church, house, shippe, mill, or euery other peece of worke taken in great, in taske, or in grosse, or that shall take vpon him to make

or

or finish any such thing, or worke, shall continue & not depart from the same (vnlesse it be for not paying of his wages, or hire agreed on, or otherwise lawfully taken or appointed to serue the Quæne &c. or for other lawfull cause, or without licence of the Master or owner of the worke, or of him that hath the charge thereof) before the finishing of the same worke, vpon paine of imprisonment by one moneth without baile or mainprise, and the forf. of v.l. to the party from whom he shall so depart, for the which the said party may haue his actiō of debt against him that shall so depart in any the M. Courts of record, besides such ordinary costs & damages, as may or ought to be recouered by the common Lawes, for any such offence, wherein no W. &c. E. P. &c. And no other artificer or labourer, retained in any seruice to worke with the Quæne, or any other person, shal depart from her Maiesty, or from the said person, vntill the worke be finished, if the person so retayning the artificer or labourer, so long will haue him, and pay him his wages, or other dueties, vpon paine of imprisonment of euery person so departing by the space of one Moneth. 5. Eliz. 4.

Going into other Shires for harueſt worke.

11 But all persons of the Counties where they haue accustomed to goe into other Shires, for harueſt worke, and hauing at that time no harueſt worke sufficient in the same Towne nor County, where he or they dwelt in the Winter then last past, bringing with him or them a Testimoniall, vnder the hand and seale of one Iustice of the Peace of the Shire, or other head officer of the Towne or place where he or they come from, testifying the same, for the which he shall not pay aboue j. d. (other then such persons as shalbe retained in seruice, according to the forme of this Statute) may resort in harueſt of Hay or Corne, from their Countries wherein their dwelling places are, into any other place or Countrey, for the onely mowing, reaping, and getting of hay, corne, and graine, & for the onely working of harueſt works, as they might haue done before the making of this statute. 5. Eliz. 4.

A ſeruant or worke man aſſaulting his Maſter.

12 If any seruant, workman, or labourer, shall wilfully or maliciously make any assault or affray vpon his Master, Mistresse, or Dame, or vpon any other, that shall at that time haue the charge or ouersight of him, or of the worke wherein he is appointed, or hired to worke, and being thereof conuicted before any two of the Iustices, Maior, or head Officer aforesaid, where the said offence is committed, or before either of the said Lords Presidents and Councell, before remembred, by confession of the said seruant, workman, or labourer, or by the witnesse and oath of two honest men: Then euery such offendor shall suffer imprisonment by the space of one whole yeare, or lesse, by the discretion of two Iustices of Peace, if it be without a Towne corporat, and if it be within a Towne corporat, then by the discretion of the Maior or head Officer of the same Towne corporat, with two others of the discreetest persons of the same corporation at the least. And if the offence shall require further punishment, then to receiue such other open punishment (so as it extend not to life, nor lim) as the Iustices of Peace in open Sessions, or as the more part of them, or the said Mayor, or head Officers, and fiue or vij. at the least of the discreet persons of the same corporation, before whom the offence shall bee examined, shall thinke conuenient for the qualitie of the said offence so committed. 5. Eliz. 4.

Artificers are compellable to worke in harueſt.

12 In the time of Hay or Corne harueſt, the Iustices of peace, & euery of them, and also the Constable, or other head Officer of euery Township, vpon request, and for the auoiding of the losse of any corne, or hay, shal & may cause all such artificers & persons, as be meet to labour, by the discretion of any of the said Iustices, Constables, or other head officers, to serue by the day for the mowing, reaping, shearing, getting, or inning of corne & hay, according to the skill & quality of the person. And none of the said persons shall refuse so to doe, vpon paine to suffer imprisonment

in the ſtockes by the ſpace of ij. daies & one night. And the Conſtable of the Towne, or other head officer of the ſame, where the ſaid refuſall ſhalbe made, vpō complaint to him made, ſhall haue authority to ſet the ſaid offendor in the ſtockes for the time aforeſaid, & ſhall puniſh him accordingly, vpon pain to loſe & forfeit, for not doing therof, the ſumme of xl.s. 5. El. 4.

Women compellable to ſerue.

14 Two Juſtices of peace, the Maior, or other head officers of any city, borough, or towne corporat, & two Aldermen, or two other diſcreet Burgeſſes of the ſame citie &c. if there be no Aldermen, ſhall and may appoint any ſuch woman as is of the age of xij. yeares, & vnder the age of xl. yeares, & vnmarried, & forth of ſeruice, as they ſhall thinke meet to ſerue, to be retained, or ſerue by the yeare, by the weeke, or day, for ſuch wages, & in ſuch reaſonable ſort, as they ſhall thinke meet. And if any ſuch woman do refuſe ſo to ſerue, then it ſhal be lawfull for the ſaid Juſtices, Mayor, or head Officer to commit her to ward, vntill ſhe ſhal be bounden to ſerue as is aforeſaid. 5. El. 4.

A huſbādman may take an Apprentice.

15 Euery perſon being an houſe-holder, & hauing & vſing halfe a plough land at the leaſt in tillage, may haue & receiue to an apprentice any perſon aboue the age of x. yeares, & vnder the age of xviij. yeares, to ſerue in huſbandry, vntill his age of xxj. yeares at the leaſt, or vntil the age of xxiiij. yeares, as the parties can agree, & the ſaid retainer & taking of an apprentice, ſhalbe done by an indenture. 5. El. 4. S. 12. R. 2. 5. If a child vſe huſbandry vntill the age of xij. yeares, & be made apprentice after to any myſterie, his couenant ſhalbe void. But whether this be in force, or repealed by the generall words of 5. El. 4. Quære.

Quære.

Apprentices in Townes corporat.

16 Euery perſon being an houſholder, & xxiiij. yeares old at the leaſt, dwelling in any city or towne corporat, & vſing any art, myſterie, or manuell occupation there, ſhall & may, during the time that he ſhall there dwell & vſe any ſuch art &c. haue and retaine the ſonne of any freeman, not occupying huſbandry, nor being a labourer, & inhabiting in the ſame, or in any other city or town corporat, to ſerue & be bound as an apprentice after the cuſtome & order of the city of Londō, for vij. yeares at ẏ leaſt, ſo as the terme of ſuch apprētice do not determine before he ſhall be of the age of 24. yeares at the leaſt. 5. Eliz. 4.

Theſe muſt take prentices whoſe parēts may diſpend ſome lands.

17 It is not lawfull for any perſon dwelling in any City or towne corporat, vſing any of the myſteries or crafts of a Marchant trafficquing by trade into any the parts beyond the ſea, Mercer, Draper, Goldſmith, Ironmonger, Imbroiderer, or Clothier, that doth put Cloth to making and ſale, to take an apprentice or ſeruant, to be inſtructed in any of the Arts, Occupations, Crafts, or Myſteries, which any of them do vſe, except ſuch ſeruant or apprentice be his ſonne, or elſe that the father or mother of ſuch apprentice or ſeruant, ſhall haue at the time of the taking of him, lands, tenements, or other hereditaments of the cleere yeerely value of xl.s. of one eſtate of inheritance or freehold at the leaſt, to be certified vnder the hands & ſeales of iij. Juſtices of the peace of the ſhire or ſhires where the ſaid lands, tenements, or other hereditamēts do lie, to the Maior, Bailife, or head officer of ſuch city or towne corporat, & to be inrolled among the records there. But if any ſuch Marchant, Mercer, Draper, or other of the artificers aforeſaid, do dwell in a market towne not incorporat, then the father or mother of an apprentice by him taken, muſt haue lands &c. to the value of iij. l. &c. to be certified by their Juſtices, inrolled as is aforeſaid. 5. Eliz. 4.

What prētices inhabitants in market townes may take.

18 It is lawfull for euery perſon being an houſholder, & xxiiij. yeares old at the leaſt, and not occupying huſbandry, nor being a labourer, dwelling in any market towne not being incorporat, ſo long as the ſame ſhall be weekely vſed as a market towne, and vſing any art, myſterie, or manuell occupation, during the time of his abode there, and ſo vſing ſuch art &c. to haue in like maner to apprentice the child or children of any other artificer or artificers, not occupying huſbandry, nor being a labou-

labourer, inhabiting in the ſame, or in any other ſuch market towne within ỹ ſame ſhire, to ſerue as an apprentice, to any ſuch Art &c. as hath bin vſually exerciſed in any ſuch market towne, where ſuch apprentice ſhalbe bound, in manner and forme aforeſaid. And the inhabitants of Godalming in the county of Surrey, within the limits of the watch of the ſame towne, may vſe ſuch occupations, & take and vſe apprentices & ſeruants, as the aforeſaid inhabitants within market townes may doe. 5. Eliz. 4. Godalming.

19 It is lawfull to any perſon, vſing the occupation of a Smith, Wheelewright, Ploughwright, Pilwright, Carpenter, Roughmaſon, Plaſterer, Sawyer, Limeburner, Brickmaker, Bricklaier, Tiler, Slater, Helyer, Tilemaker, Linnen weauer, Turner, Cowper, Miller, Earthen potter, woollen weauer weauing huſwifes or houſhold cloth only, & none other cloth, Fuller, otherwiſe called Tucker or Walker, Burner of Ore & Woad aſhes, Thatcher, or Shingler, whereſoeuer he or they ſhall dwell, to haue or receiue the ſonne of any perſon as apprentice, in manner and forme aboueſaid, to be inſtructed in theſe occupations onely, & in none other, albeit the father or mother of any ſuch apprentice haue not any lands, tenements, or hereditaments. 5. El. 4. Prentices whole parẽts may diſpend no lands.

20 It is not lawfull for any perſon, other thẽ ſuch as (at the time of the making of the ſtatute, being 12. Ianuar. Añ Dñi 1562.) did exerciſe any art, myſtery, or manuall occupation, to ſet vp or exerciſe any craft, myſterie, or occupation, now vſed within England or Wales (except he ſhall haue bin brought vp therein vij. yeares at the leaſt, as apprentice in forme aforeſaid) nor to ſet any perſon on worke in ſuch myſtery or occupation, being not a workman at the ſaid 12. Ianuarię (except he ſhal haue bin apprentice as is aforeſaid) or elle hauing ſerued as an apprentice, will become a Journeyman, or hyred by the yeere, vpon paine that euery perſon willingly doing the contrary, ſhal forf. for euery default xl. s. for euery month. 5. El. 4. That all ſuits vpon this branch of the ſtatute ſhalbe inquired of, heard, & determined in the generall Aſſiſes, Quarter Seſſions, or Leet, where the offence ſhalbe committed, S. Actions popular 11. None ſhal occupie any craft but which hath bin Apprentice.

21 No perſon vſing the myſterie of Woollen cloth weauer (other then ſuch as be inhabiting within the Counties of Cumberland, Weſtmerland, Lancaſter, and Wales, weauing frizes, cottons, or huſwiues cloth) only making & weauing woollẽ Cloth commonly to be ſold by any Clothier, ſhall take any apprentice, or ſhall in any wiſe inſtruct any perſon in the occupation of weauing aforeſaid, in any village, towne, or place (cities, townes corporat, and market townes onely except) vnleſſe ſuch perſon be his ſonne, or elſe that the father or mother of ſuch apprentice or ſeruant ſhall at the time of the taking of ſuch perſon to be an apprentice or ſeruant, or ſo to be inſtructed, haue lands or hereditaments to the cleere yeerely value of iij. l. at the leaſt, of one eſtate of inheritance or freehold, to be certified vnder the hands & ſeales of three Juſtices of the peace of the ſhire or ſhires, where the ſaid lands &c. do lie, the effect of the Indenture to be regiſtred, within iij. months, within the pariſh where ſuch Maſter ſhall dwell, and to pay for ſuch regiſtring iiij. d. vpon paine of forfeiture of xx. s. for euery moneth that any perſon ſhall otherwiſe take any Apprentice, or ſet any ſuch perſon on worke, contrary to the meaning of this article. 5. Eliz. 4. Woollen weauers apprẽtice

22 Euery perſon that ſhal haue apprẽtices in any of the ſaid occupations of clothmaker, fuller, ſhearman, weauer, taylor, or ſhoomaker, ſhal retaine & keepe one iourneyman, & for euery other apprentice aboue the number of the ſaid three, one other iourneyman, vpon paine to forf. for euery default therein x. l. But this act ſhall not preiudice or hinder the liberties graunted by any act of Parliament in force to the Companie of Worſted makers, & Weauers in the citie of Norwich, & the County of Norfolke. 5. El. 4. For 3. apprẽtices there ſhal be kept one Journeyman. worſted makers.

in the ſtockes by the ſpace of ij. daies & one night. And the Conſtable of the Towne, or other head officer of the ſame, where the ſaid refuſall ſhalbe made, vpō complaint to him made, ſhall haue authority to ſet the ſaid offendor in the ſtockes for the time aforeſaid, & ſhall punish him accordingly, vpon pain to loſe & forfeit, for not doing therof, the ſumme of xl.s. 5. El. 4.

Women compellable to ſerue.

14 Two Juſtices of peace, the Maior, or other head officers of any city, borough, or towne corporat, & two Aldermen, or two other diſcréet Burgeſſes of the ſame citie &c. if there be no Aldermen, ſhall and may appoint any ſuch woman as is of the age of xij. yéeres, & vnder the age of xl. yéeres, & vnmarried, & forth of ſeruice, as they ſhall thinke méet to ſerue, to be retained, or ſerue by the yéere, by the wéeke, or day, for ſuch wages, & in ſuch reaſonable ſort, as they ſhall thinke méet. And if any ſuch woman do refuſe ſo to ſerue, then it ſhal be lawfull for the ſaid Juſtices, Mayor, or head Officer to commit her to ward, vntill ſhe ſhal be bounden to ſerue as is aforeſaid. 5. El. 4.

A husbādman may take an Apprentice.

15 Euery perſon being an houſe-holder, & hauing & vſing halfe a plough land at the leaſt in tillage, may haue & receiue to an apprentice any perſon aboue the age of x. yéeres, & vnder the age of xviij. yéeres, to ſerue in husbandry, vntill his age of xxj. yéeres at the leaſt, or vntil the age of xxiiij. yéeres, as the parties can agrée, & the ſaid retainer & taking of an apprentice, ſhalbe done by an indenture. 5. El. 4. S. 12. R. 2. 5. If a child vſe husbandry vntill the age of xij. yéeres, & be made apprentice after to any myſterie, his couenant ſhalbe void. But whether this be in force, or repealed by the generall words of 5. El. 4. Quære.

Quære.

Apprentices in Townes corporat.

16 Euery perſon being an houſholder, & xxiiij. yéeres old at the leaſt, dwelling in any city or towne corporat, & vſing any art, myſterie, or manuell occupation there, ſhall & may, during the time that he ſhall there dwell & vſe any ſuch art &c. haue and retaine the ſonne of any freéman, not occupying husbandry, nor being a labourer, & inhabiting in the ſame, or in any other city or town corporat, to ſerue & be bound as an apprentice after the cuſtome & order of the city of Londō, for vij. yéeres at ỳ leaſt, ſo as the terme of ſuch apprētice do not determine before he ſhall be of the age of 24. yéeres at the leaſt. 5. Eliz. 4.

Theſe muſt take prentices whoſe parēts may diſpend ſome lands.

17 It is not lawfull for any perſon dwelling in any City or towne corporat, vſing any of the myſteries or crafts of a Marchant traffiquing by trade into any the parts beyond the ſea, Mercer, Draper, Goldſmith, Ironmonger, Imbroiderer, or Clothier, that doth put Cloth to making and ſale, to take an apprentice or ſeruant, to be inſtructed in any of the Arts, Occupations, Crafts, or Myſteries, which any of them do vſe, except ſuch ſeruant or apprentice be his ſonne, or elſe that the father or mother of ſuch apprentice or ſeruant, ſhall haue at the time of the taking of him, lands, tenements, or other hereditaments of the cléere yéerely value of xl.s. of one eſtate of inheritance or freéhold at the leaſt, to be certified vnder the hands & ſeales of ij. Juſtices of the peace of the ſhire or ſhires where the ſaid lands, tenements, or other hereditamēts do lie, to the Maior, Bailife, or head officer of ſuch city or towne corporat, & to be inrolled among the records there. But if any ſuch Marchant, Mercer, Draper, or other of the artificers aforeſaid, do dwell in a market towne not incorporat, then the father or mother of an apprentice by him taken, muſt haue lands &c. to the value of ij. l. &c. to be certified by three Juſtices, inrolled as is aforeſaid. 5. Eliz. 4.

What prētices inhabitants in market townes may take.

18 It is lawfull for euery perſon being an houſholder, & xxiiij. yeares old at the leaſt, and not occupying husbandry, nor being a labourer, dwelling in any market townes not being incorporat, ſo long as the ſame ſhall be wéekely vſed as a market towne, and vſing any art, myſterie, or manuell occupation, during the time of his abode there, and ſo vſing ſuch art &c. to haue in like maner to apprentice the child or children of any other artificer or artificers, not occupying husbandry, nor being a labou-

labourer, inhabiting in the ſame, or in any other ſuch market towne within ỹ ſame ſhire, to ſerue as an apprentice, to any ſuch Art &c. as hath bin vſually exerciſed in any ſuch market towne, where ſuch apprentice ſhalbe bound, in manner and forme aforeſaid. And the inhabitants of Godalming in the county of Surrey, within the limits of the watch of the ſame towne, may vſe ſuch occupations, & take and vſe apprentices & ſeruants, as the aforeſaid inhabitants within market townes may doe. 5. Eliz. 4. Godalming.

19 It is lawfull to any perſon, vſing the occupation of a Smith, Wheelewright, Ploughwright, Millwright, Carpenter, Roughmaſon, Plaſterer, Sawyer, Limeburner, Brickmaker, Bricklaier, Tiler, Slater, Helyer, Tilemaker, Linnen weauer, Turner, Cowper, Miller, Earthen potter, woollen weauer weauing huſwifes or houſhold cloth only, & none other cloth, Fuller, otherwiſe called Tucker or Walker, Burner of Oze & Woad aſhes, Thatcher, or Shingler, whereſoeuer he or they ſhall dwell, to haue or receiue the ſonne of any perſon as apprentice, in manner and forme aboueſaid, to be inſtructed in theſe occupations onely, & in none other, albeit the father or mother of any ſuch apprentice haue not any lands, tenements, or hereditaments. 5. El. 4. Prentices whole parẽts may diſpend no lands.

20 It is not lawfull for any perſon, other thẽ ſuch as (at the time of the making of the ſtatute, being 12. Ianuar. Añ Dñi 1562.) did exerciſe any art, myſtery, or manuall occupation, to ſet vp or exerciſe any craft, myſterie, or occupation, now vſed within England or Wales (except he ſhall haue bin brought vp therein vij. yeares at the leaſt, as apprentice in forme aforeſaid) nor to ſet any perſon on worke in ſuch myſtery or occupation, being not a workman at the ſaid 12. Ianuarię (except he ſhal haue bin apprentice as is aforeſaid) or elſe hauing ſerued as an apprentice, will become a Journeyman, or hyred by the yẽre, vpon paine that euery perſon willingly doing the contrary, ſhal forf. for euery default xl. s. for euery month. 5. El. 4. That all ſuits vpon this branch of the ſtatute ſhalbe inquired of, heard, & determined in the generall Aſſiſes, Quarter Seſſions, or Lẽt, where the offence ſhalbe committed, S. Actions popular 11. None ſhal occupie any craft but which hath bin Apprentice.

21 No perſon vſing the myſterie of Woollen cloth weauer (other then ſuch as be inhabiting within the Counties of Cumberland, Weſtmerland, Lancaſter, and Wales, weauing frizes, cottons, or huſwiues cloth) only making & weauing woollẽ Cloth commonly to be ſold by any Clothier, ſhall take any apprentice, or ſhall in any wiſe inſtruct any perſon in the occupation of weauing aforeſaid, in any village, towne, or place (cities, townes corporat, and market townes onely except) vnleſſe ſuch perſon be his ſonne, or elſe that the father or mother of ſuch apprentice or ſeruant ſhall at the time of the taking of ſuch perſon to be an apprentice or ſeruant, or ſo to be inſtructed, haue lands or hereditaments to the cleere yẽrely value of iij. l. at the leaſt, of one eſtate of inheritance or freehold, to be certified vnder the hands & ſeales of three Juſtices of the peace of the ſhire or ſhires, where the ſaid lands &c. do lie, the effect of the Indenture to be regiſtred, within iij. months, within the pariſh where ſuch Maſter ſhall dwell, and to pay for ſuch regiſtring iij. d. vpon paine of forfeiture of xx. s. for euery moneth that any perſon ſhall otherwiſe take any Apprentice, or ſet any ſuch perſon on worke, contrary to the meaning of this article. 5. Eliz. 4. Woollen weauers apprẽtice

22 Euery perſon that ſhal haue apprẽtices in any of the ſaid occupations of clothmaker, fuller, ſhearman, weauer, taylor, or ſhoomaker, ſhal retaine & keepe one iourneyman, & for euery other apprentice aboue the number of the ſaid three, one other iourneyman, vpon paine to forf. for euery default therein x l. But this act ſhall not preiudice or hinder the liberties graunted by any act of Parliament in force to the Companie of Worſted makers, & Weauers in the citie of Norwich, & the County of Norfolke. 5. El. 4. For 3. apprẽtices there ſhal be kept one Iourneyman. worſted makers.

Apprentices bound within age.

23 Euery person that shal be bounden by Indenture to serue as an Apprentice in any art, science, occupation, or labour, according to this Statute, and in forme aforesaid (albeit the same Apprentice shall be within the age of xxj. yeares at the time of the making of his Indentures) shall be bound to serue for the yeares in his Indentures conteined, as largely to euery intent, as if he were of full age at the time of the making of such Indentures. But no person shall by force of this Statute, be bound to enter into any apprentiship, other then such as be vnder the age of xxj. yeares. 5. Eliz. 4.

The remedie where one required to be bound prentice doth refuse.

24 If any person shall be required by any housholder, hauing and vsing halfe a plough land at the least in tillage, to be an Apprentice, and to serue in husbandrie, or in any other kind of art, mysterie, or science before expressed, and shall refuse so to doe, then vpon the complaint of such houseképer made to one Iustice of peace of the County wherein such refusall shal be made, or of such houshold inhabiting in any Citie, Towne corporat, or market Towne, to the Maior, Bailife, or head Officer of the said Citie &c. if any such refusall shall there be, they haue full authoritie to send for the same person so refusing. And if the said Iustice, or the said Maior, or head Officer shall thinke the said person méete to serue as an apprentice in that art &c. wherein he shall be so then required to serue, then he hath authoritie (if the said person refuse to be bound as an apprentice) to commit him vnto warde, there to remaine vntill he will be bound to serue as an apprentice should serue, according to the true meaning of this Act. 5. Eliz. 4.

The remedy for a Prentice which is misused by his Master.

25 If any such Master shall misuse, or euill intreat his apprentice, or the said apprentice shall haue any iust cause to complaine, or if the apprentice do not his dutie to his Master: Then the said Master or apprentice hauing cause to complaine, shall repaire vnto one Iust. of P. within the said Countie, or to the Maior, or other head Officer of the Citie, Towne corporat, market Towne, or other place where the said Master dwelleth, who shall take such order betweene the said Master and his apprentice, as the equity of the cause shal require. And if for want of good conformitie in the said Master, the said Iustice, Maior, or head officer, cannot agrée the matter betweene him and his apprentice, then the said Iustice, Maior, or head Officer, shall take bond of the said Master to appeare at the next Sessions to be holden in the said Countie, or within the said Citie, Towne corporat, or market Towne, to be before ỳ Iust. of the said County, or the Maior, or head officer of the said town corporat, or market Towne (if the said Master dwell within any such) and vpon his apparance & hearing of the matter before the said Iustices, or the said Maior, or other head officer, if it be thought méete vnto them to discharge the said apprentice of his apprenticehood: Then the said Iustices, or foure of them at the least, whereof one to be of the Quorum, or the said Maior, or other head officer, with the consent of three other of his brethren, or men of best reputation within the said Citie, Towne corporat, or market Town, haue power in writing vnder their hands & seales to declare that they haue discharged the said apprentice of his apprenticehood, and the cause thereof: and the said writing so being made and inrolled by the Clerke of the peace, or Towne Clerke, amongst the Records that he kéepeth, shall be a sufficient discharge for the said apprentice against his Master, his executors, & administrators, the Indenture of the said apprenticehood, or any law, or custome to the contrarie notwithstanding. And if the default shall be found to be in the apprentice then the said Iustices, or the said Maior, or other head Officer with the assistants aforesaid, shall cause such due correction to be ministred vnto him, as by their discretion shall be thought méete. 5. Eliz. 4.

Discharge of apprentiship.

If there be fault in the prentice.

Taking of apprentices contrarie to this statute.

26 All Indentures, couenants, promises, and bargaines, for the hauing, taking, or kéeping of any Apprentice otherwise to be made, or taken, then is by this statute ordeined, shall be cléerely void in the law to all intents, and euery person that

that ſhall take, or newly retaine any apprentice contrary to the true meaning of this Act, ſhal forfait for euery apprentice ſo taken x. pounds. The one halfe of which forfeiture, and of all forfaitures and penalties exprẽſſed and mencioned in this Statute (other then ſuch as are exprẽſly otherwiſe appointed) ſhall be to the Quẽne, her heires and ſucceſſors, and the other moitie to him or them that ſhall ſue for the ſame in any of the Quẽnes Courts of record, or before any of the Juſtices of Oier and Terminer, or before any other Juſtices, or Preſident and Counſell before remembred, by A. of debt, I.B. or otherwiſe, wherein no W.E.P.&c. 5. Eliz. 4. Who in this caſe ſhall haue the forf. in corporat Townes. S. Corporations 17. *In what maner all penalties forfaited by this ſtatute ſhall be imployed.*

27 Prouided alwaies that this Act ſhall not be preiudiciall to the Cities of London & Norwich, or to the lawfull liberties, cuſtomes, or priuiledges of the ſame, concerning the hauing or taking of any Apprentices, but the Citizens and freemen of the ſame Cities, ſhall and may take and retaine apprentices there, in ſuch maner as they might lawfully haue done before &c. 5. Eliz. 4. Anñ 12. H. 7. 1. it was enacted, that euery perſon of the occupation of Worſted, Baies, and Stamin makers within the County of Norfolke, the which the foure Wardens of the ſaid occupations within the ſaid County yearely choſen, ſhall enable to kæpe a Prentice, ſhall be at libertie to take and kæpe at all times one or two Apprentices, any perſon or perſons put to the foreſaid occupation, ſo that that he paſſe not two at once at the moſt. And likewiſe euery perſon ſhall be at his libertie, to put any Apprentice to the foreſaid occupations: any Act or ordinance before made to the contrary notwithſtanding. The which ſtatute ſæmeth to be repealed for the inhabitants dwelling in all other partes of the Countie of Norfolke (ſauing in Norwich by the Statut of 5. Eliz. 4. which repealeth all Statuts before made touching the hiring, kæping, working, wages, and order of ſeruants, workemen, artificers, apprentices, and labourers, and for Norwich onely it ſæmeth to be in force by this Prouiſo. S. 22. *London. Norwich.*

28 If any ſeruant or apprentiſe of huſbandry, of any art, ſcience, or occupation aforeſaid, vnlawfully depart, or flie into any other Shire, it ſhall be lawfull to the ſaid Juſtices of peace, and to the ſaid Maiors, Bailifes, and other head Officers of Cities and Townes corporat, being Juſtices of peace there, to make and graunt writs of Capias, ſo many, and ſuch as ſhall be needefull, to be directed to the Shirifes of the Counties, or to other head Officers of the places whither ſuch ſeruants or apprentices ſhall ſo depart, to take their bodies, returnable before them at what time ſhall pleaſe them, ſo that if they come by ſuch proces, they ſhal be but in priſon till they ſhall finde ſufficient ſuertie wel and honeſtly to ſerue their Maſters, Miſtreſſes, or Dames from whom they ſo departed, according to the order of the Law. 5. Eliz. 4. *Seruants departing into an other ſhire.*

29 But it is lawfull to the high Conſtables of Hundreds in euery Shire, to hold, kæpe, and continue petit Seſſions, otherwiſe called ſtatute Seſſions, within the limits of their authorities, in all Shires wherein ſuch Seſſions haue bin vſed to be kept, in ſuch maner as heretofore hath bin vſed, ſo as nothing be by them done therein contrarie or repugnant to this Act. 5. Eliz. 4. *Stat. Seſſions.*

30 It ſhall be lawful to euery owner of Ships or veſſels & to euery houſholder vſing the trade of the Seas by fiſhing, or otherwiſe, to euery Gunner, commonly called a Canoner, & to euery Shipwright, to take or kæpe one or more apprentice or apprẽtices to be brought vp in the ſaid trades, euery of the ſaid apprentices to be to them bound for x. yeres or vnder. And euery apprentice ſo taken being aboue vij. yeres of age, ſhalbe by the ſame couenants bound, ordred, & vſed to al intents, according to the cuſtome of the citie of London, ſo that the ſame couenant or bond of apprenticeſhip be made by writing indented and inrolled in the Towne where the ſame *Owners of ſhips, Gunners, & ſhipwrights, may take prentices.*

ſame apprentice ſhalbe then inhabiting, if it be a towne corporat, & if the towne be not corporat, then to be inrolled in the next towne corporat to the habitation of euery ſuch apprentice. And the officers of euery ſuch towne corporat ſhal take for euery ſuch inrolment not aboue xy.d. 5. El. 5. 1. Iac. 25. to continue vntil the end of the firſt Seſſion of the next Parliament.

Inhabitants in Linne and Yarmouth.

31 Euery craftſman of the myſterie & occupation of Worſted making, dwelling within any of the townes of Linne & great Yarmouth, in the County of Norfolke & ſuburbes of the ſame, may haue and take apprentice or apprentices (being male) of the age of xiij. yeares and vpward, and being the Kings naturall ſubiects for the terme of ſeuen yeares, and not vnder, ſo that none of them exceed the number of two at once, to learne, vſe, and exerciſe the ſaid craft within either of the ſaid townes or ſuburbes of the ſame, albeit the father of the ſame apprentice may not expend in lands and tenements to the yearely value of xx.s. any Act or Ordinance to the contrarie made or to be made notwithſtanding. 14. H. 8. 3. 26. H. 8. 16. 5. Eliz. 4.

1 For conſpiracies made by Artificers or Labourers for the order of their works. S. Artificers 1.

2 None ſhall worke Hattes with forrein wooll, but which hath apprentice. S. Hattes 1.

3 How many Apprentices a Hatmaker may take, and for what time. S. Hattes 5.

4 None ſhalbe a Weauer, but which hath bin apprentice. S. Draperie 73.

5 For the authoritie and dutie of Iuſtices of Peace, Maiors, &c. concerning the executing of the Statute of Labourers. S. Iuſtice of Peace 66. 67. 68. Corporations 19.

6 What ſhalbe taken for entry of an Apprenticeſhip and Freedome. S. Corporations 4.

7 In what caſes Ouerſeers of the poore may bind poore children apprentices. S. Poore 6.

8 Seruants imbeſiling their maſters good. S. Stealing.

Lapſe.

The ordinary may counterplead the K. title for a benefice fallen by Lapſe.

WHen any Ordinary hath giuen a benefice which came rightfully to him by Lapſe, & after the K. preſenteth, & commenceth his ſuit againſt the patron, in this & all ſuch like caſes where the K. title is not tried, the Ordinary or poſſeſſor ſhalbe receiued to counterplead the title made for the King, & to haue his aunſwere, ſhew & defend his right, though he claime nothing in the patronage. 25. Ed. 3. 7. pro Clero. S. Incumbent.

1 Where title to conferre or preſent by Lapſe ſhal not accrue vpon depriuation, but after vj. moneths after notice. S. Eccleſiaſticall perſons 5.

2 In what caſe Lapſe of vj. moneths ſhall not preiudice the King. S. Prærogatiue 9.

Leaſes.

Leaſes by tenant in taile, or of the wines lands.

ALl Leaſes hereafter to be made of any manors, lands, tenements, or other hereditaments, by writing indented vnder ſeale, for terme of yeares, or for terme of life, by any perſon or perſons being of full age of xxj. yeares, hauing any eſtate of inheritance, either in fee ſimple, or in fee taile, in their owne right, or in the right of their Churches, or wiues, or iointly with their wiues, of any eſtate of inheritance made before the couerture, or after, ſhall be good and effectuall in

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the law againſt the leſſors, their wiues, heires, and ſucceſſors, and euery of them, according to ſuch eſtate as is comprized in euery ſuch Indenture of leaſe, in like manner and forme, as the ſame ſhould haue béen, if the leſſors thereof, and euery of them at the time of the making of ſuch Leaſes had béene lawfully ſeiſed of the ſame lands &c. comprized in the ſaid Indenture, of a good, perfect, and pure eſtate of fée ſimple to their owne only vſes. But this Act doth not giue any libertie to any perſon or perſons to take any more farmes, leaſes, or takings of any lands &c. then he or they ſhould or lawfully might haue done before the making of this Act. 32. H. 8. 28.

2 This Act doth not extend to any leaſes to be made of any manors, lands, &c. being in the hands of any farmer, or farmers, by vertue of any old leaſe, vnleſſe the ſame old leaſe be expired, ſurrendred, or ended within one yeare next after the making of the ſaid new leaſe, nor ſhall extend to any graunt to be made of any reuerſion of any manors, lands, &c. nor to any leaſe of any manors, lands, &c. which haue not moſt commonly béen letten to farme, or occupied by the farmers thereof by the ſpace of twentie yeares next before ſuch leaſe thereof made, nor to any leaſe to be made without impeachment of waſt, nor to any leaſe to be made aboue the number of xxj. yeares, or three liues at the moſt, from the day of the making thereof, and vpon euery ſuch leaſe there ſhall be reſerued yearely during the ſame leaſe due and payable to the leſſors, their heires and ſucceſſors to whom the ſame lands ſhould haue come after the death of the leſſors, if no ſuch leaſe therof had béen made, and to whom the reuerſion thereof ſhall appertaine, according to their eſtates and intereſts, ſo much yearely farme or rent, or more, as hath béene moſt accuſtomably paied for the manors, lands, &c. ſo to be letten within xx. yeares next before ſuch leaſe thereof made. And euery perſon to whom the reuerſion of ſuch manors, lands, &c. ſo to be letten ſhall appertaine, as is aforeſaid, after the death of ſuch leſſors, or their heires, ſhall and may haue ſuch like remedie and aduantage, to all intents againſt the leſſées thereof, their executors and aſſignes, as the ſame leſſors ſhould or might haue had againſt the ſame leſſées, ſo that if the leſſor were ſeiſed of any eſpeciall eſtate taile of the ſame hereditaments at the time of ſuch leaſe, the iſſue or heire of that eſpeciall eſtate ſhall haue the reuerſion, rents, & ſeruices reſerued vpon ſuch leaſe, after the death of the ſaid leſſor, as the leſſor himſelfe might or ought to haue had, if he had liued. 32. H. 8. 28.

Speciall obſeruations of leaſes to be made by tenant in taile, or of the wiues lands.

3 The wife ſhalbe made party to euery leaſe made by her huſband, of any manors, lands, &c. being the inheritance of the wife, & euery ſuch leaſe ſhal be made by Indenture in the name of the huſband and his wife, and ſhe ſhall ſeale to the ſame, and the farme and rent ſhalbe reſerued to the huſband and to the wife, and to the heires of the wife, according to her eſtate of inheritance in the ſame: And the huſband ſhall not in any wiſe alien, diſcharge, graunt, or giue away the ſame rent reſerued, nor any part thereof longer then during the couerture, without it be by fine leuied by the ſaid huſband & wife, but the ſame rent ſhall remaine, diſcend, reuert, or come after the death of ſuch huſband vnto ſuch perſon or perſons & their heires, in ſuch ſort as ẏ lands ſo leaſed ſhould haue done, if no ſuch leaſe had therof bin made. 32. H. 8. 28.

The wife ſhal be party to euery Leaſe made of her land.

4 No Maſter, Prouoſt, Preſident, Wardein, Deane, Gouernour, Rector, or chiefe Ruler of any Colledge, Cathedrall Church, Hall, or Houſe of any learning in any of the Vniuerſities of Cambridge, or Oxford: Nor no Prouoſt, Wardein, or other head Officer of the Colledges of Wincheſter or Eaton, nor the Corporation of any of the ſame, by what title, ſtile, or name ſoeuer they now bée, ſhall, or may be called, ſhall make any Leaſe for life, liues, or yeares, of any their lands, tenements, or other hereditaments, to the which any tithes, arrable land, meadow, or paſture, doth or ſhall appertaine, except that the one third part at the leaſt

Vpon Leaſes made by Colledges, the third part of the rent ſhalbe reſerued in Corne.

leaſt of the old rent, be reſerued and paied in Corne for the ſaid Colledges, Cathedrall Church, Halls, and Houſes: that is to ſay, in good Wheat after vj.s. viij.d. the quarter, or vnder, and good Mault, after v.s. the quarter, or vnder, to be deliuered yearely vpon dates prefixed, at the ſaid Colledges, Cathedrall Church, Halls, or Houſes, And for default thereof, to pay to the ſaid Colledges, cathedrall church, Halls, or Houſes, in ready mony, at the election of the ſaid Leſſees, their executors, adminiſtrators, & aſſignes, after the rate as the beſt Wheat & Mault in the market of Cambridge, for the rents that are to be paid to the vſe of ỹ houſe or houſes there, And in the market of Oxford, for the rents that are to be paid, to the vſe of the houſe or houſes there, And in the market of Winchester, for the rents that are to be paied to the vſe of the houſe or houſes there, And in the market of Windſor for the rents that are to be paied to the vſe of the houſe or houſes at Eaton, is or ſhalbe ſold ỹ next market day before the ſaid rent ſhalbe due, without fraud or deceit. And all Leaſes otherwiſe hereafter to be made, & all collateral bonds or aſſurance to the contrarie by any of the ſaid corporations, ſhall be void in law to all intents & purpoſes. The ſame Wheat, Mault, or the money comming of the ſame, to be expended to the vſe of the reliefe of the commons & diet of the ſaid Colledges, Cathedrall church, Halls & Houſes onely, & by no fraud nor colour let nor ſold away from the profit of the ſaid Colledges, Cathedrall church, Halls & Houſes, and the Fellows & Schollers in the ſame, & the vſe aforeſaid, vpon paine of depriuation to the Gouernor & chiefe rulers of the ſaid Colledges, Cathedrall church, Halls & Houſes, & all other thereto conſenting. 18. Eliz.

Mounken barne in Suſſex.

5 But this act, or any thing therein contained, ſhal not extend, or be in any wiſe preiudiciall to any Leaſe to be made, of a barne called Mounken barne, with a certain portion of Tithes, riſing, growing, & being in the pariſh of Southwicke in the County of Suſſex, being parcell of the poſſeſſions of Magdalē Colledge in Oxford, ſo that the terme demiſed in & by the ſaid Leaſe, exceed not the number of x. yeares, from & after the feaſt of S. Michael the Archangell next comming. Neither ſhall this act extend to any leaſe to be made by the Preſident and Schollers of the Colledge of S. Iohn Baptiſt in Oxford, to any heire male of Sir Thomas White, late Knight & Alderman of London, founder of the ſaid Colledge, which leaſe ſhalbe made according to the meaning of the foundation & ſtatutes of the ſaid Colledge, of the Manor of Fiefield, and none other hereditaments. 18. Eliz. a Statute not printed.

Fyfield demiſed to white.

1 For the validitie & ſtrength of all leaſes made by any Abbots, Priors, Nunnes, Maſters of Colledges, Chauntries, &c. before their ſeuerall diſſolutions &c. S. Monaſteries 4. 9. 11. 12. 26.

2 What leaſes or other acts made by the husband onely, or by the husband and wife of lands of the wife, ſhall bind her or her heires. S. Women 5.

3 What leaſes or other aſſurances may be made by any Biſhops of their lands. S. Eccleſiaſt. 6.

4 What leaſes or other aſſurances may bee made by any Maſter and Fellowes, Deane and Chapter, Parſon, Vicar, or other, hauing Spirituall liuings. S. Eccleſiaſt. 7. 8.

5 How long leaſes of benefices with cure ſhall endure. S. Eccleſiaſt. &c. 9. 10. 11.

6 In what caſes any ſpirituall perſon may take by leaſe any Lands, Parſonage, or Vicarage, and in what not. S. Eccleſiaſt. &c. 14. 16.

7 For leaſes made by tenant in taile of lands, whereof the reuerſion is in the King. S. Recoueries 4.

8 That a leſſee for yeres may falſifie a recouerie had againſt him in the reuerſion. S. Recoueries 8.

9 What

9 What remedy the recouerers haue againſt the leſſee for terme of yeres of lands recouered for rent due, or waſt committed. S. Recouerie 8.

10 Leſſees ſhall haue the ſame aduantage againſt the grauntees in reuerſion, that they might haue had againſt the grauntors. S. Condition 2.

11 Where leſſees for life or yeares, are compellable to make Partition. S. Partition 4.

12 No ſtranger Artificer not being Denizen, may take a leaſe of any dwelling houſe or ſhop. S. Aliens 14.

13 For leaſes of lands in North and South Tindale. S. 11. H. 7. 9.

Leets, Liberties, Lawdaies, and Stewards thereof.

Of what things Stewards in Leetes ſhall enquire.

STewards in their Leetes ſhall enquire by the oathes of the Iurors, if all the chiefe pledges or headborroughes, or their dolens which owe ſuit to the Court, be come.

And alſo if all the Iurors which owe ſuit to the Court, be come, and who be not.

And if there be any of the Lords villaines which haue fled away, and doe continue in any other place, ſauing in the R. demeanes, and if they haue cõtinued in the ſame demeanes by the ſpace of a yeare and a day, and if any of the ſaid villaines be in any other Leet ſauing in this.

And of Cuſtomes and Seruices due to this Court withdrawne, how, by whom, and in what Bailifes time.

And of Purpreſtures made in any land, wood, or water, to annoyance.

And of walles, houſes, hedges, ditches, made vp, or broken downe to annoyance.

And of bounds pulled vp and carried away.

And of wayes and pathes ſtreitned or ſtopped.

And of waters ſtopped, or turned, or lead out of the right courſe.

And of breakers of houſes, and common theeues, and of their receiuers.

And of thoſe which commit petite larcenie in ſtealing of hens, geeſe, or ſheafes of corne.

And of Theeues which ſteale clothes through windowes and walles.

And of thoſe which goe in the meſſage of theeues.

And of Huyes and cries leuied and not purſued.

And of the eſcape of any felon.

And of outlawes which returne without the Kings warrant.

And of bloudſhed, and affraies committed.

And of the rauiſhment of any woman which was not preſented before the Coroner.

And of Clippers and forgers of money.

And of treaſure found.

And of ſellers of Cloth, and Curriers of leather dwelling out of Market Townes.

And of the aſſiſe of Bread and Ale broken.

And of falſe meaſures, falſe ballances and weights, and of thoſe which haue double meaſure, and buy by the greater, and ſell by the leſſer.

And of thoſe which doe continually haunt Tauernes.

And of thoſe which do ſleepe by day, and watch by night, and fare well, and no man knoweth whereof they liue.

And of thoſe which take Doues in Winter by any engins.

And of any perſon impriſoned, which is after let go without warrant.

And

And of thole which doe flie into any Church or Churchyard, & after depart without doing that which they ought to do. 18. Ed. 2.

Leather. Cordwainers

2 Stewards of Leetes ſhall enquire, heare, and determine in their Leetes all offences committed within their iuriſdiction, contrarie to the ſtatute prouided 1. Iacob. touching Tanners, Curriers, Shoomakers, and other artificers, occupying the cutting of Leather, and alſo ſhall by their diſcretions examine all perſons ſuſpected to offend the ſaid Act, or any parcell thereof. 1. Iacob. 22. S. Leather 45.

Attachmẽt in the Marches.

3 Stewards of Leets in their Leets haue power to enquire of all attachments made by the officers of the Courts of the Eaſt marches, or Weſt marches out of any of the Counties of Weſtmerland, Cumberland, Northumberland, or the towne of New Caſtle vpon Tine, & therein to proceed, as they may vpon preſentments taken before them in their Leets, of treſpas or affraies made againſt the K. peace. 13. H. 5. 3. S. Marches.

Deſtroying of Spawne.

4 The Lord of euery Leet hath authority to inquire of all the offences committed contrary to the purport & forme of the ſtatute prouided (1. Eliz. for the preſeruation of Spawne and Frie of Fiſh) within the precinct of the ſaid Leet, ſuch inquirie to be had in manner and ſort as common amerciaments, or other things inquirable in Leets haue been lawfully vſed to be made: And vpon euery ſuch preſentment had in any Leet or Court by the oath of xij. men, of any offence made contrary to the ſaid ſtatute, all forfeitures appointed for ſuch offence, ſhalbe vnto the Lord of the ſaid Leet, and ſhal be leuied as amerciaments for affraies committed within the precinct of ſuch Leet haue bin vſed to be leuied. And if the Steward of a Leet, or ſome other for him, doe not charge the Jurie ſworne in euery Leet to inquire of all offences done within the precinct of the ſame Leet, concerning the killing of Spawne or Frie of Fiſh, Kepper or Shedder Salmons, or Trouts, Pickrell, Salmon Trout, or Barbell, being not of lawfull length, and concerning the maſh of Nets, and other Engins, he ſhall forfeit for euery offence xl. s. to the Qu. & him, that will ſue for the ſame. And if any Jury ſworne in a Leet, hauing charge to inquire of the premiſſes, do willingly conceale and make default in preſentment of the offence and offendors, then the Steward or Baylife, or their deputie, may impanell another Jurie within the ſame Leet, to enquire of ſuch concealement: which being found, euery of the Jurors ſo concealing, ſhall forfeit xx. s. to the Lord of the Leet for euery offence. Sauing alwaies to all and euery perſon and perſons, bodies politique and corporate, and euery of them, All ſuch right, title, intereſt, clayme, priuiledge, and conſeruation, and enquirie, and punihment, of, and for any the offences aforeſaid, as they or any of them lawfully haue and enioy, or of right ought to haue and enioy by any manner of meanes: any thing &c. notwithſtanding. 1. Eliz. 17. 1. Iacob. 25. To continue till the end of the nert Parliament. S. Fiſh 3. 4.

Offence.

Making of Mault.

5 The Steward in euery Leet ſhal haue full power & authority to inquire, heare, & determine, as well by preſentment of xij. men, as by accuſation or information of ij. honeſt witneſſes, of, for, and vpon all & euery the offẽces & forfeitures committed (contrary to the ſtatute prouided 2. Ed. 6. for the true making of Mault) as well for the King, as for the party, that ſhall ſue, procure, or cauſe the ſame to be preſented. 2. Ed. 6. S. Mault.

Artillerie.

6 Stewards of Franchiſes, Leetes, and Law-dayes, haue power to enquire of all and euery Braunch of the ſtatute prouided 33. H. 8. for the maintenance of Artillerie, of Buttes, and of the making and ſelling of Bowes in their Leetes and Law-dayes, and to heare and determine the ſame. And alſo by their diſcretion to examine all perſons, not hauing Bowes, Shafts, and Arrowes, according to the ſaid ſtatute. And where any forfeiture giuen by the ſaid ſtatute, ſhall be found in

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any Léet, the Lord of the ſame Léet ſhall haue the moitie thereof. 33. H.8.9. S. Playes 7. Archerie.

7 Stewards of Léets at their Léets, haue authoritie to enquire, heare, and determine all and ſingular offences, committed by Victualers, Artificers, Workmen, and Labourers, againſt the Statute for them prouided. 2. Edw. 6. and to puniſh the offendors according to the tenor of the ſame Statute 2. Edw. 6. 15. S. Artificers 1. Victualers. Artificers.

8 Stewards of Léets, Liberties, and Lawdayes, at their Léets and Lawdaies ſhall and may from time to time, enquire, heare, and determine euerie of the offences committed contrarie to the Act prouided 4. & 5. Ph. & Ma. for the taking of Muſters within the Precinct of their Léet or Libertie. 4. & 5. P. & M. 3. S. Captaines 12. 13. 14. 15. Muſters.

9 It is lawfull to all Stewards and Bailifes in their ſeuerall Léets and Lawdayes, to enquire, heare, and determine euerie offence committed contrarie to the tenor of the Statute made 33. H. 8. concerning Croſſebowes and Handgunnes, ſo that alwayes no leſſe fine then 12. d. be aſſeſſed vpon euerie ſuch preſentment and conuiction, the one moitie of euerie ſuch fine to be leuied to the vſe of the King, and the halfe of the other moitie to the owner of the Léet, or Lawday, by diſtreſſe, or action of debt, and the other halfe of the ſaid moitie to be to the partie that will purſue for the ſame in any of the Kings Courts, by A. I. &c. wherein no W. E. P. &c. And if any Iurie, ſworne and charged to enquire for the King, of any offences committed contrarie to the ſaid Statute, do wilfully conceale any of the ſaid offences: then the Stewards or Bailifes before whom any concealement ſhal be had, haue authoritie to charge and ſweare another Iurie of twelue, or moe, to enquire of ſuch concealement: And if ſuch concealment be found and preſented by the ſaid Iury, then euerie of the firſt Iurie ſhall forfeit for euerie ſuch concealement of euerie offence twentie ſhillings, the one moytie to bee leuied to the owner of the Léet, or Lawday, by diſtreſſe, or action of debt, and the other to the I. to bee recouered by A. I. &c. wherein no W. E. P. &c. But if the preſentment or ſuit for any of the ſaid forfeitures bee not commenced within one halfe yeare next after the offence committed, then the offendor ſhall bee thereof cléerely diſcharged. 33. H. 8. 6. S. Gunnes. Croſſebowes Handgunnes.

10 The Steward of euerie Léet or Lawday hath authoritie to enquire by the othes of the Suitors, of all offences committed within the Léet or Lawday againſt euerie point and article of the Statute prouided 2. & 3. Ph. & Ma. for the amending of Highwayes, and to aſſeſſe ſuch reaſonable fines and amerciaments for the ſame, as ſhal be thought meet by the ſaid Steward, and the Steward ſhal make Eſtreats indented of all the fines, forfeitures, and amerciaments for the defaults preſented before him, and ſhall deliuer the one part thereof ſealed and ſigned by him to the Baylife or High Conſtable of euerie Hundred, Rape, Lath, or Wapentake, wherein the defaults ſhall bee preſented, and the other to the Conſtable and Churchwardens of the Pariſh wherein the defaults were made, to be deliuered yearely within ſix weekes next after the feaſt of S. Michael the Archangell. 2. & 3. Ph. & Ma. 8. 5. Eliz. 13. And the ſaid Stewards in their Léets and Lawdaies ſhall heare and determine euerie offence, matter, and cauſe, that ſhall grow or ariſe by reaſon of the Statute prouided 18. Eliz. for the amending of Highwayes. 18. El. 9. S. Highwayes. Highwayes.

11 All Stewards of Léets and Lawdayes, in the ſame Léets and Lawdayes haue authoritie to enquire of all defaults, contempts, omiſſions, and offences committed contrarie to the effect of the Statute prouided 32. H. 8. concerning the breed of Horſes of higher ſtature, and all preſentments thereof found, ſhall be certified by the Steward, Deputie Steward, or Court holder of the ſame Léet or Law- Breed of Horſes.

day, in the next generall Sessions of the peace to be holden in the Countie where such presentment shall be found, or vnto the Custos Rotulorum of the same Shire, within fortie dayes after the presentment made. And if any such Steward, Deputie, or Court holder, imbeasill or conceale any such presentment, or doe not certifie the same, as is aforesaid, he shall forfeit for euerie offence xl.s. to the King and I. that will sue for the same before the Iust. of peace in their quarter Sessions, by A. I. &c. But the forf. of xl.s. for putting to pasture any Horse, Gelding, or Mare, infected with scab, or mange, vpon any Forests, Chases, Parishes, wast grounds, or common fields, shalbe to the Lord of the Leet, where the offence shall be presented. 32. H. 8. 13. S. Horses 3. 4. 5. 6. 7. 8. 9.

Horse-bread. 12 Stewards in their Leets and Lawdayes haue authoritie to enquire and determine euerie default and offence of Hostlers making Horse-bread, not sufficient, lawfull, and of due assise, according to the price of corne, committed within the limits of their iurisdiction contrarie to the statute in that case prouided. 32. H. 8. 42. S. Inholders 2.

Wines. 13 The Steward in euerie Leet hath authoritie to enquire by the othes of xij. lawfull men, of all offences committed contrarie to the Statute prouided 7. Ed. 6. to auoid the great prices and excesse of Wines, and euerie such enquirie and presentment so taken and had, shall be of such force, as if the same were taken in the Kings Bench. And euerie of the paines, penalties, and forfeitures, to bee due by force of the said Act, for any offence committed by any person, which shall be found by presentment before the said Steward, by verdict of xij. men (and no bill, plaint, action, or information thereof commenced in any of the K. Courts of Record) shall be equally diuided into two parts, whereof one shal be to the King, and the other to the poore of the Towne or place where such presentment shall be found. 7. Ed. 6. 5. S. Wines 6. &c.

Feasants and Partridges. 14 Stewards of Leets, Liberties, and Lawdayes, within their seuerall Iurisdictions, shall and may heare, and determine of all and euerie offence or offences, which shal be committed within the precinct of their liberties, iurisdictions, or franchises, against the tenor of the Act made An. 23. Eliz. for the preseruation of Feasants and Partridges. 23. El. ro. S. Feasants 2. 3. 4. 5.

Cottages. Inmates. 15 All and euerie Lord and Lords of Leet and Leets, and their Stewards, within the precinct of his and their Leet and Leets, shall haue full power and authoritie within their seuerall Leets, to enquire and to take presentment by the othe of Iurors, of all and euerie offence and offences committed contrarie to the Statute made Anno 31. Elizab. against the erecting and maintaining of Cottages and Inmates, and vpon such presentment had or made, to leuie by distresse to the vse of the Lord of the Leet, all such summes of money as shall be forfeited. And moreouer it shall be lawfull for the Lord of euerie such Leet, where such presentment shal be made, to recouer to his owne vse any such forfeiture by action of Debt in any of the Q. Courts of Record, wherein no W. E. p. &c. 31. Eliz. 7. S. Cottages. Iustices of peace 101.

A Steward shall not take in farme the profits of Courts. 16 No Steward, Deputie Steward, or other Vnder-steward of any Court Leets, or Court Barons, shall directly or indirectly, in his owne name, or in the name of any other, take, receiue, or make benefit to his owne vse, in money, goods, or any other thing to the value of xij. d. or more, by vertue or colour of any demise or graunt hereafter to bee made, of any the Profites, or Perquisites, or Amerciaments of any such Courts, whereof they are Steward, which rightfully shall belong to the Lords of the same, vpon paine that euerie Steward offending contrarie to the tenor of this Act, shall for euerie such his offence forfeit xl. l. and to be disabled euer after to be Steward of such Court, or of any other: The one moitie of the forfeiture to bee to the King, his heires and successors, the other

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halfe to the Inf. to be recouered in any of the Kings Courts of Record, by Action of Debt, B. P. or I. wherein no E. P. W. or other dilatorie plea ſhall be allowed. 1. Iacob. 5.

1 At what time of the yeare a Leet is to be holden. S. Turne 1.

Leather, Tanner, Currier, Shoomaker.

NO Butcher by himſelfe, or by any other perſon, ſhall gaſh, ſlaughter, or cut any Hide of any Ore, Bull, Stære, or Cow, in flaying thereof, or otherwiſe, whereby the ſame ſhalbe impaired, or hurt, vpon paine of forfeiture for euery hide ſo gaſhed, ſlaughtered, or cut, xx. s. And no Butcher ſhall water any hide, except only in the Moneths of Iune, July, and Auguſt: Nor ſhall offer to put to ſale any hide, being putrified, or rotten, vpon paine of forfeiture for euerie hide ſo watered, and for euerie hide ſo putrified, or rotten, and offered, or put to ſale iij. s. iiij. pence. 1. Iac. 22. Gaſhing of hides. watering of hides. Rotten hides.

2 No Butcher, or other perſon or perſons ſhall kill any Calfe to ſell, being vnder fiue weekes old, vpon paine to forfeit for euerie Calfe ſo to be killed and ſold vj. s. viij. d. 1. Iac. 22. Calues vnder 5. weekes old.

3 No perſon or perſons, occupying the craft or myſterie of a Butcher, ſhal occupie or vſe by himſelfe, or any other perſon or perſons, the feat, craft, or myſterie of a Tanner, during the time that he ſhal vſe the craft or occupation of a Butcher, vpon paine of forfeiture of vj. s. viij. d. for euerie day that he ſhall ſo vſe the feat, craft, or myſterie of a Tanner. 1. Iac. 22. No Butcher ſhalbe a Tanner.

4 No perſon or perſons ſhall tanne any Leather, or ſhall vſe, take, or haue any profit, gaine, or commoditie, of, or by the ſaid craft or myſterie of Tanning of Leather, except ſuch perſon or perſons, as had a Tanne-houſe at the beginning of this Seſſion of Parliament (being 19. die Martij, Anno Dom. 1603.) and did then occupie the myſterie of Tanning of Leather: And except ſuch as haue bene, or hereafter ſhall be brought vp, inſtructed, or taught, as apprentices, or couenant or hired ſeruants for that purpoſe, by the ſpace of ſeuen yeares, in the myſterie of Tanning of Leather: And except the wife, and ſuch ſonne or ſonnes of a Tanner, as hath bene brought vp, and hath vſed the myſterie of Tanning of Leather, by the ſpace of foure yeares, or the ſonne, or daughter of a Tanner: Or ſuch perſon who ſhall marie ſuch wife, or daughter, to whom he hath or ſhall leaue a Tanne-houſe, and Fats, vpon paine of forfeiture of all ſuch Leather, by him or them ſo Tanned, or whereof he or they ſhall receiue any profit or commoditie by tanning, or the iuſt value thereof. 1. Iac. 22. Who may be a Tanner.

5 No perſon or perſons, vſing the Myſterie of Tanning of Leather, by himſelf, or by any other perſon or perſons, ſhall, during that time that he ſhall vſe the ſayd myſterie, occupie or vſe the craft or myſterie of a Shoomaker, Currier, Butcher, or of any other Artificer, vſing or exerciſing cutting or worke ng of Leather, vpon paine to forfeit and loſe all and euerie ſuch hide and hides, ſkin and ſkins, ſo by them or any of them wrought, or tanned, during the time that hee ſhall vſe the myſterie or craft of Tanning aforeſaid, or the iuſt value thereof. 1. Iac. 22. No Tanner ſhalbe a cutter of Leather.

6 No perſon or perſons ſhall bargaine, buy, make, contract for, or beſpeake any rough hide or calues ſkin in the haire, but only ſuch perſon or perſons as by vertue of this Act may lawfully vſe the Craft or Myſterie of Tanning of Leather, & ſhall tanne the ſame, or ſuch perſon or perſons which ſhal taw the ſame, except ſalt hides for the neceſſarie vſe of ſhips, vpon paine to forfeit all and euery ſuch hides & ſkins ſo bought, or the iuſt value thereof. 1. Iac. 22. Who may buy rough hides or calues ſkinnes.

7 No Tanner, or other perſon or perſons, ſhall foreſtal any hides comming towards any Faire or Market, nor ſhall buy any hide any other where, then in open Forestalling of Hides.

Faire or Market, vnleſſe it be of ſuch perſon or perſons as ſhall kill the ſame beaſt, whereof the ſaid hide ſhalbe, for the prouiſion of his or their owne houſe, or houſes, vpon pain of forfeiture for euerie hide ſo foreſtalled or bought, contrarie to the true meaning of this Act, vj.s. viij.d. 1. Iac. 22.

Who only may buy tanned Leather not wrought.

8 No perſon or perſons ſhall or may buy, ſell, bargaine, beſpeake, or take, promiſe to haue, exchange, or put away any tanned leather not wrought, and conuerted into made wares, but onely ſuch perſon and perſons as wil and ſhal worke and conuert the ſame leather into made wares, vpon paine of forfeiture of the leather ſo bought, ſold, exchanged, or put away, or the value thereof. Prouided alwayes, That all and euerie Artificer, and other perſon and perſons, vſing to conuert tanned leather into made wares, as well ſtrangers borne, as other, may lawfully buy all kind of Tanned Leather, to make or conuert the ſame into made Wares, at Leaden Hall in London, vpon euerie Munday, the ſame being firſt duely Searched, Sealed, and Regiſtred, as is hereafter limited. Prouided alſo, That the Sadlers and Cyrdlers may ſell their Neckes, Shéeds of Tannned Leather, red, without incurring any paine or forfeiture for the ſame. 1. Iacob. 22.

How hides ſhall be vſed in tanning.

9 No perſon or perſons whatſoeuer, which ſhall occupie or vſe by him or themſelues, or by any other perſon or perſons, the craft or myſterie of tanning of leather ſhall ſuffer any Hide or Skin to lye in the lymes, till the ſame be ouer lymed, nor ſhall put any hides or ſkinnes into any tanne fats, before the lyme be well and perfectly ſokened and wrought out of them, and euerie of them, nor ſhall vſe, imploy, occupy, or put by themſelues, or by any other perſon or perſons, any thing, or ſtuffe in, or about the workmanſhip, or tanning of Leather, but onely Ash barke, Oake barke, Tapwort, Vault, Meale, Lyme, Culuer dung, or Yenne dung: Nor ſhall willingly ſuffer his or their Leather to be laied, or to hang, or to lye wet in any froſt vntill the ſame be frozen: Nor ſhall drie or parch the ſaid leather with the heat of the fire, or of the Summer Sunne: Nor ſhall tanne or cauſe to be tanned any hide or ſkin, being putrified or rotten by long lying, either before the putting of it into the lymes, or after into the water, or liquor, or by any other meanes: Nor ſhal ſuffer the hides for vtter ſole leather, to lye in the Wlzes any leſſe time then twelue monethes at the leaſt: Nor the hides for vpper leathers in the like Wlzes, any leſſe time then nine monethes at the leaſt: Nor ſhall negligently worke the hides in the Wlzes, but ſhall renew and make ſtrong their Wlzes as often as ſhall bee requiſit: Nor ſhall put to ſale any tanned hide, or ſkin, which ſhalbe wrought and tanned in any other ſort, then by this ſtatute is limited and appointed, vpon paine of forfeiture for euerie Oxe hide, Bull hide, Steere hide, Cow hide, or ſkin tanned or wrought, or offered to be put to ſale, contrarie to the true meaning of this Act, or the iuſt value thereof. 1. Iac. 22.

Raiſing of hides with mixtures.

10 No perſon or perſons, vſing, or which hereafter ſhall vſe the craft or myſtery of Tanning of Leather, ſhall raiſe with any mixtures any hide, to be imployed and conuerted to Backes, Bend Leather, Clowting Leather, or any other Sole Leather, except the ſame hide be for largeneſſe, ſtate, and growth, fit and ſufficient for that vſe and purpoſe, the ſame to be tried by the Triers, hereafter in this Act to bee appointed, vpon paine of forfeiture of all ſuch hides, which ſhall be raiſed, and conuerted to Sole Leather, contrarie to the true meaning of this preſent prouiſion. 1. Iacob. 22.

Sale of tanned Leather red or vnwrought.

11 No perſon or perſons whatſoeuer, ſhal put, or cauſe to be put to ſale, exchange or otherwiſe depart with any kind of tanned leather, red, and vnwrought, but in open Faire or Market, in the places therefore commonly accuſtomed, and therefore prepared, vnleſſe the ſame Leather haue béene before lawfully ſearched and ſealed in ſome open faire or market, or other place lawfully appointed to and for the

the ſearching and ſealing of Leather: No⁊ ſhal offer o⁊ put to ſale any tanned Leather, red, and vnw⁊ought, befo⁊e the ſame be ſearched, and ſealed, acco⁊ding to the Lawes and o⁊der of this Statute, hereafter mentioned: vpon paine of fo⁊feiture fo⁊ euerie hide o⁊ pæce of Leather ſo ſold, exchanged, o⁊ otherwiſe departed with, contrarie to the true meaning of this Act, vj. s. viij. d. and fo⁊ euerie dozen of Calues ſkinnes, o⁊ Shæpe ſkinnes, iij. s. iij. d. and the hide o⁊ hides, ſkinne o⁊ ſkinnes, and Leather, in any otherwiſe ſold, exchanged, o⁊ bought, o⁊ the value thereof. 1. Iac. 22.

Leather not ſufficiently tanned o⁊ d⁊ied.

12 If any perſon o⁊ perſons, vſing, o⁊ which ſhal vſe the Myſterie o⁊ Faculty of Tanning, ſhal at any time o⁊ times hereafter, offer o⁊ put to ſale any kind of leather, which ſhall bæ inſufficiently, o⁊ not th⁊oughly tanned, o⁊ which ſhall not then haue bæne after the tanning thereof, well and th⁊oughly d⁊ied, ſo that the ſame by the Triers of Leather, lawfully appointed acco⁊ding to this Act, fo⁊ the time being ſhall bæ found to bæ inſufficiently, o⁊ not th⁊oughly tanned, o⁊ not th⁊oughly d⁊ied, as afo⁊eſaid, then all and euerie ſuch perſon and perſons ſo offending, ſhall fo⁊feit ſo much of his o⁊ their ſaid Leather, as ſhall bee found inſufficiently, and not th⁊oughly tanned, & not th⁊oughly d⁊ied, as afo⁊eſaid: that is to ſay, the whole hide, backe, o⁊ ſkinne, o⁊ other pæce of Leather, if the whole bæ inſufficiently, o⁊ not th⁊oughly tanned, o⁊ not th⁊oughly d⁊ied: And if the whole hide, backe, ſkin, o⁊ other pæce of Leather, bæ not ſufficiently, o⁊ not th⁊oughly tanned, o⁊ not th⁊oughly d⁊ied, then onely ſo mnch of the hide, backe, ſkinne, o⁊ other pæce of leather, as ſhall be inſufficiently, o⁊ not th⁊oughly tanned, o⁊ not th⁊oughly d⁊ied, the ſame to be cut out by the ouerſight, diſcretion, and direction of the Triers hereafter in this Act to bæ appointed, vpon the othes of the ſaid Triers. 1. Iacob. 22.

Leather ſhall not take vnkind heat.

13 No perſon o⁊ perſons ſhall ſet their Fattes in Tanne-hils, o⁊ other places, where the Wo⁊zes o⁊ Leather that ſhalbe put to Tanne in the ſame, ſhall o⁊ may take any vnkind heats, o⁊ ſhall put any Leather into any hote o⁊ warme Wo⁊zes, o⁊ ſhal tanne any Hide, Calues ſkinne, o⁊ Shæpes ſkinne, with any hot o⁊ warme Wo⁊zes whatſoeuer, vpon paine, that euery perſon ſo offending ſhal fo⁊f. fo⁊ euery ſuch offence x. l. And ſhall alſo fo⁊ euerie ſuch offence ſtand vpon the Pillo⁊ie thræ ſeueral market dayes, in the market towne nex⁊ to the place where the ſaid offence ſhalbe committed. 1. Iac. 22.

No regrating o⁊ ingrolling of barke.

14 No perſon o⁊ perſons ſhall regrate, ingroſſe, o⁊ get into their hand, by buying, contracting, o⁊ p⁊omiſe taking, any Oaken barke, befo⁊e it be ſtripped, o⁊ after, to the intent to ſell the ſame againe, vpon paine of fo⁊feiture of all ſuch barke, ſo by him o⁊ them regrated, ingrolled, o⁊ bought, contrarie to the true meaning of this p⁊eſent Waunch, o⁊ the full value thereof. 1. Iac. 22.

At what time trées to be barked ſhal be felled.

15 No perſon o⁊ perſons ſhall fell, o⁊ cauſe to bæ felled, any Oaken trées, mæt to bæ barked, where barke is wo⁊th two ſhillings a Cart load ouer and abous the charges of barking and pilling (Timber to bæ employed to and fo⁊ the neceſſarie and nædfull building o⁊ reparation of Houſes, Ships, o⁊ Mils, onely excepted) but betwæne the firſt day of Ap⁊ill, and the laſt day of June, vpon paine of fo⁊feiture of euery ſuch Oaken Træ ſo fo⁊feited, o⁊ double the value thereof. 1. Iacob. 22.

At what time Purueyo⁊s ſhal fel timber

16 No taker, o⁊ takers, purueyo⁊, o⁊ purueyo⁊s of Timber, o⁊ his o⁊ their deputie o⁊ deputies, ſhal fell, o⁊ cauſe to be felled, fo⁊ the vſe of the K. Maieſty, his heires o⁊ ſucceſſo⁊s, any oaken timber træ, o⁊ trées, mæt to be barked, but in barking time (trées to be felled fo⁊ the nædful & neceſſary building o⁊ repairing of any his M. houſes, o⁊ ſhips, onely excepted) No⁊ ſhal in any wiſe take o⁊ receiue any manner of p⁊ofit, gaine, o⁊ commoditie, by any loppes, toppes, o⁊ barke of any Trées, to be taken by them, o⁊ any of them: No⁊ ſhall in any wiſe take, carry away, giue, ſell, o⁊ diſpoſe

No taking of Loppes.

from the owner any more of any tree to be taken, as is aforesaid, then only the timber of the same tree or trees to be vsed, and bestowed, or employed onely in, vpon, or about the Kings Maiesties buildings, or ships, vpon paine of forfeiture to the partie grieued, for euerie tree, and for the lops, tops, or barke of euerie tree, taken contrarie to the meaning of this article, xl.s. And it shall be lawfull to the partie of whom such tree or trees shalbe taken, or to any other for him in his name, to take, retaine, withhold, and keepe to himselfe all the barke, lop, and top, of such tree or trees, Any Commission or other matter whatsoeuer notwithstanding. 1. Iac. 22.

Currying of Leather.

17 No person or persons shall currie any kind of Leather in the house of any Shoomaker, or other person, but onely in his owne house, scituat in a corporat or market towne, Nor shall currie any kind of Leather, except it be well and perfectly tanned, Nor shall currie any hide, or skin, being not thoroughly dry, after his wet season, In which wet season he shall not vse any stale, vrine, or any other deceitfull or subtill mixture, thing, way, or meanes, to corrupt or hurt the same, Nor shall currie any Leather meet for vtter sole Leather, with any other stuffe then with hard tallow, nor of any lesse of that, then the Leather will receiue: Nor shall currie any kind of leather meet for ouer leather, and inner soles, but with good and sufficient stuffe, being fresh and not salt, and thoroughly liquored till it can receiue no more. Nor shal burne or scald any hide or leather in the currying, Nor shal shaue any leather too thin, Nor shall gash or hurt any leather in the shauing, or by any other meanes, But shall worke the same sufficiently in all points and respects, vpon paine of forfeiture for euery such offence or acts done contrary to the true meaning of this article (other then in gashing or hurting in shauing) vj.s. viij.d. and the value of euerie such skin, or hide, marred by his euill workmanship, and for euery offence to be done against this article, in gashing, or hurting by shauing, double so much to the partie grieued, as the leather shall be impaired thereby, by the iudgement of the Wardens of the Curriers, and the warden of the Companie whereof the partie grieued shall be. 1. Iac. 22.

Who shal currie leather in or neare London.

18 No Cordwainer, Shoomaker, or other person or persons, dwelling or inhabiting within the citie of Londō, or the liberties of the same, or dwelling within iij. miles of the said citie, & occupying wet curried leather in his art or occupation, shall put or cause to be put, any leather to be curried, but to such person or persons, as be or shalbe free of the Companie of the Curriers of the citie of London, vpon paine of forf. of all such curried leather, or the value thereof. 1. Iac. 22.

Curried leather shalbe searched and sealed.

19 No person or persons, shal by any means occupie, or put in any made wares within the citie of London, or three miles of the same citie, any curried leather, before the same shalbe searched, & allowed by the Wardens of the Curriers of London for the time being, or such persons as they shall thereto assigne and bee sealed with a seale therefore to be prepared, vpon paine that euerie Shoomaker and other Artificer, Cutter of leather, offending against this article, shal forfeit for euery hide or skin otherwise curried or employed, as is aforesaid, six shillings eight pence, and the value of euery such hide or skin. 1. Iac. 22.

A Currier shall not be a tanner, shoomaker, &c.

20 No person occupying the seat or mysterie of a Currier, shall vse or exercise the seat or mysterie of a Tanner, Cordwainer, Shoomaker, Butcher, or other Artificer, vsing cutting of leather, during the time that he shall so vse or occupie the mysterie of a Currier, vpon paine of forf. of vj.s. viij.d. for euery hide or skin, that hee shall Currie, during the time that he shall occupie any of the mysteries aforesaid, contrarie to the meaning of this article. 1. Iac. 22.

Within what time leather shalbe curried.

21 No Currier or Curriers shall refuse to currie any leather to him or them for that purpose brought, by any such Artificer, as is or shall bee a cutter of leather, the same Artificer or his seruant, bringing with him or them good and sufficient stuffe, as is before mentioned, for the perfect liquoring of the same leather: And

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the ſaid leather in the preſence of the ſaid Artificers, cutters of leather, his ſeruant or ſeruants (if he or they will be preſent) ſhall be liquored and curried in all things, and degrees perfectly: And if he or they will not be preſent, it ſhall neuertheleſſe bee likewiſe liquored and curried in his or their abſence, perfectly, with as conuenient ſpeed as may be, not exceeding eight daies in ſummer, and fiftéene daies in winter, after he ſhall or may take it in hand, vpon paine to forfeit to the partie grieued for euery hide & peece of leather, not in this manner curried and well and ſpeedily dreſſed, 1. s. 1. Iac. 22.

Searching and ſealing of curried leather

22 The Wardens of the Curriers for the time being, or ſuch perſons as they ſhall aſſigne and appoint, ſhall from time to time ſearch and trie all ſuch curried leather as ſhalbe brought to any of their companie to be curried, & ſhall with a ſeale therefore to be prepared, with conuenient ſpeed, not exceeding one day after ỹ curring & requeſt made, ſeale ſuch leather as they ſhall find ſufficiétly curried, taking for euery hide ſo ſealed, after the rate of j. d. for the dicker, and for euery fiue dozen of calues, j. d. & not aboue, to be paid by the currier, vpon paine of forfeiture for euery hide which ſhall not be ſearched and ſealed as is aforeſaid, vj. s. viij. d. 1. Iac. 22.

The Shoemakers datie.

23 No perſon or perſons, which ſhall occupie the Myſterie or Occupation of a Cordwainer, or Shoemaker, ſhall make or cauſe to be made, any Bootes, Shoes, Buſkins, Startups, Slippers, or Pantofles, or any part of them, of Engliſh leather wet curried (other than dære ſkinnes, calue ſkinnes, or goat ſkinnes, made or dreſſed like vnto Spaniſh leather) but of leather well and truely tanned, & curried, in manner and forme aforeſaid, or of leather well and truely tanned onely, & well & ſubſtantially ſewed, with good threed well twiſted and made, and ſufficiently ware, with ware wel roſoned, & the ſtitches hard drawne with hand-leathers, as hath bin accuſtomed, without miring or mingling ouerleathers, that is to ſay, part of ỹ ouerleather béeing of Neats leather, part of Calues leather, Nor ſhall put into any ſhoes, bootes, buſkins, ſtartups, ſlippers, or pantofles, any leather made of ſhéepe ſkin, bull hide, or horſe hide, Nor into the vpper leather of any ſhoes, ſtartups, ſlippers, or pantofles, or into the neather part of any bootes (the inner part of the ſhoe onely excepted) any part of any hide from which the ſole leather is cut, called the wombes, necke, ſhanke, ſlanke, powle, or cheéke, Nor ſhall put into the vtter ſole any other leather, than the beſt of the ore, or ſtére hide, Nor into the inner ſole, any other leather than the wombes, necks, powle, or cheéke, nor in the treſwels of the double ſoled ſhoes, other than the ſlankes of any the hides aforeſaid, nor ſhall make or put to ſale in any yeare betweéne the laſt of September and the twentieth of Aprill, any Shoes, Bootes, Buſkins, Startups, Slippers, or Pantofles, meéte for any perſon to weare, exceéding the age of foure yeares, wherein ſhal be any drie Engliſh leather (other than calue ſkinnes, or goat ſkins made, or dreſſed, or to bée made or dreſſed, like vnto Spaniſh leather, or any part thereof:) Nor ſhall ſhew to the intent to put to ſale any ſhoes, bootes, buſkins, ſtartups, ſlippers, or pantofles, vpon the Sunday, vpon paine of forfeiture for euery paire of ſhoes, boots, buſkins, ſtartups, ſlippers, and pantofles, made, ſold, ſhewed, or put to ſale, contrarie to the true meaning of this Act, three ſhillings foure pence, and the iuſt and full value of the ſame. 1. Iac. 22.

No ſale of ſhoes vpon the Sunday.

Searching of wares made of tanned leather.

24 The Maſters and Wardens of the ſeuerall Myſteries of Cordwainers, Curriers, Girdlers, & Sadlers, of the citie of London for the time béeing, by what name or names ſoeuer they be incorporated or intituled, or the more part of the ſaid Maſter and Wardens, of euery of the ſaid ſeuerall myſteries, vpō pain to forfeit xl. l. for euery yere that they make default, the one halfe thereof to be to the K. Ma. his heirs, and ſucceſſors, & the other halfe to him or them that will ſue for the ſame, ſhall by vertue of this Act foure times in the yeare at the leaſt, That is to ſay, once euery quarter of the yeare, or oftner if néed require, as they ſhall thinke good,

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make true ſearch and viewe of and for all Bootes, Shoes, Buſkins, and other wares, and things whatſoeuer made of tanned leather, in all and euery houſe and houſes, place and places, priuiledged and not priuiledged, as well within the citie of London, and Suburbs thereof, as in euery other place within three miles of the ſame citie, where any Shoomaker, Sadler, Girdler, Currier, or other Artificer, vſing cutting, working, or dreſſing of leather, doth or ſhall dwell, or occupie any of the occupations of cutting, working, or dreſſing of leather, whether the ſame boots, ſhoes, wares, ſtuffe, and other things be made of tanned leather, and bee wrought according to the purport, effect, and true meaning of this Stat. or not. And it ſhall and may be lawfull to and for the ſaid ſeuerall maſters, and wardens of the ſaid ſeuerall Myſteries, which ſhall be for the time being, to take, ſeize, and carrie away to their ſeuerall common Halles, all ſuch Bootes, Shoes, Wares, Stuffe, or other things which the ſaid ſeuerall maſters and wardens ſhall find in their ſeuerall ſearches, inſufficiently made, curried, or wrought. Prouided alwaies, That none of the ſaid ſeuerall maſters and wardens of the ſaid ſeuerall companies of Cordwainers, Curriers, Girdlers, or Sadlers, ſhal ſearch any perſon or perſons, but ſuch as vſe and exerciſe the myſterie or occupation of the maſter and wardens. And that the Coachmakers dwelling within the ſaid citie of London, or three miles from the ſame, ſhall be vnder the ſuruey and ſearch of the maſter and wardens of the companie of the Sadlers of London. 1. Iac. 22.

Searchers & Sealers of leather in London.

25 The Mayor of the citie of London, and the Aldermen for the time being, vpon like paine of xl. l. likewiſe to be leuied and imploied, ſhall likewiſe yearely appoint eight of the moſt ſubſtantiall, honeſt, and expert perſons, being freemen of ſome of the companies of Cordwainers, Curriers, Sadlers, or Girdlers, within the citie of London, whereof one ſhall be a Sealer, and keepe a ſeale for the ſealing of leather to be prepared, who ſhall alſo be ſworne before the ſaid Maior and Aldermen, for the time being, to doe their office truely: Which ſaid Searchers and Sealers, ſhall viewe and ſearch all and euery tanned hide, ſkinne, or leather, which ſhall be brought as well to the market at Leaden hall, as to any other lawfull faire or market therefore vſually appointed, within three miles of the ſaid citie, whether the ſame be ſufficiently and throughly tanned, and throughly dried, according to the purport and true meaning of this Statute, or no: And finding it ſufficiently and throughly tanned, and throughly dried, in ſuch manner and forme, as by this ſtat. is appointed, ſhall ſeale the ſame with the ſaid ſeale. 1. Iac. 22.

Searching & ſealing of leather in al other parts of the Realme.

26 All Maiors, Bailifes, and other head officers, for the time being, in all other Cities, boroughs, and market townes of this Realme, And all Lords of Liberties, Faires and Markets, out of the circuit or compaſſe of the ſaid three miles, ſhall vpon like paine of xl. pounds likewiſe to be leuied and imploied euery yeare that they make default herein, appoint and ſweare yearely two, three, or more perſons of the moſt honeſt and ſkilfull men within their ſeuerall offices or liberties, by their diſcretion to ſearch and viewe within the precinct of their ſaid offices, liberties, and authorities, which ſhall as often as they ſhall thinke good, or need ſhall bee, make like ſearch within their limits, and ſhall haue a marke or ſeale prepared for that purpoſe: And the ſaid Searchers, or one of them, ſhall keepe the ſame Seale or Marke, and with the ſame ſhall ſeale and marke ſuch leather, as they ſhall find ſufficient, & no other: And if the ſaid Searchers or any of them, doe find any leather ſold, or offered to be ſold, or brought to be ſearched or ſealed, which ſhall be tanned, wrought, conuerted, or vſed contrarie to the true intent and meaning of this ſtatute, or any leather inſufficiently curried, or any bootes, ſhoes, bridles, or any other thing made of tanned or curried leather, inſufficiently tanned, curried, or wrought, contrarie to any prouiſion in this preſent Act, it ſhall be lawfull to the ſaid Searchers, or any of them, to ſeize all ſuch leather, ſhoes, or other wares made of leather, and to retaine

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the ſame in their cuſtodie, vntill ſuch time as the ſame be tried by ſuch triers, and in ſuch manner and forme as is hereafter in this ſtatute appointed. 1. Iac. 22.

27 The Maior of the citie of London, for the time being, within fiue daies after notice to him giuen of any ſeizure made of any leather red, and vnwrought, within the iuriſdiction of the ſaid citie, or three miles diſtant from the ſame, either by the owner or owners, or by the ſeizors of the ſaid leather, ſhall elect and appoint fiue honeſt and expert men, whereof there ſhall be of the better ſort of the Companie of Corduainers of London two, of the better ſort of the Curriers of London two, and other two of the better ſort of Tanners, vſing Leaden Hall market, who ſhall be no kinne or of affinitie to the ſaid owner or owners, who vpon their corporall oathes to be taken before the ſaid Maior, ſhall on the ſecond or third market day, at the furtheſt, to bee holden vpon the munday for leather, next after the ſaid ſeizure, in the afternoone of the ſame day (to the intent the owner or owners may conueniently be preſent) enquire, ſtraitly examine & trie, whether the ſaid leather ſo ſeized ſhall be ſufficient and ſeruiceable or not, according to the intent and true meaning of this act. 1. Iac. 22. *Fiue triers of leather in London.*

28 Euery other Maior, Bailife, or other head officer, or Lord of Libertie, or his ſufficient deputie, out of the ſaid compaſſe of the ſaid three miles, within whoſe precincts or liberties any ſuch ſeizure of any kind of tanned leather, red or curried, or of any ſhoes, bootes, or other Wares made of tanned leather, ſhall happen to be, ſhall with all conuenient ſpeed after notice vnto him giuen, of any ſuch ſeiſure, appoint fiue honeſt and expert men, to trie whether the ſame leather, bootes, ſhoes, or other wares ſo ſeized, be ſufficient and according to the true intent of this ſtatute or not, the ſame triall to be made openly vpon ſome market day, and within fiftéene daies at the furtheſt next after ſuch ſeizure made vpon the oathes of the ſaid Triers. 1. Iac. 22. *Triers of leather in other places.*

29 If the ſaid Maior of the Citie of London for the time being, or any other Maior, Bailife, or other head Officer of any other citie, borough, corporat or market towne, or any Lord of any Libertie, Faire, or market, ſhall make default in the nomination or appointment of any the foreſaid Triers, to be nominated & appointed in ſuch manner and forme as is before ordained, then euery ſuch Mayor, Bailife, or other head Officer, or Lord of Libertie, Faire, or Market, making ſuch default, ſhall forfeit and loſe for euery default v. l. the one moitie thereof ſhall bee to the K. Maieſtie, his heires or ſucceſſors, and the other halfe to him or them that wil ſue for the ſame, in any of the K. Courts of Record, by B. P. J. or otherwiſe. And the ſaid perſons ſo elected and appointed for triall of the ſaid leather, ſhoes, bootes, or other wares, made of tanned leather, ſo to be ſeized as aforeſaid, ſhall proceed and doe their duties therein without delay, according to the true intent and meaning of this Act, vpon paine that euery of them making default therein, ſhall for euery ſuch ſeuerall default, forfeit and paie v. l. 1. Iac. 22. *The penaltie for not appointing of triers.*

30 Foure of the ſaid eight Searchers and Sealers, ſo to be appointed within the ſaid Citie of London, as aforeſaid, ſhall be at the end of euery yeare chaunged and remooued, and ſo many new choſen in their roomes and places: And no perſon or perſons ſhall remaine, continue, or be in the ſaid Office of ſearching or ſealing of leather, within the ſaid Citie of London, aboue the ſpace of two yeares together: And he or they which ſhall ſerue or be imployed in the ſaid Office of Searching and Sealing of leather two yeares, ſhall not in the ſaid Office be choſen, ſerue, or bee imployed againe, vntill the end of three yeares at the leaſt then next following, vpon paine that euery perſon offending or doing the contrarie, ſhall forfeit for euery moneth that he ſhall contrarie vſe and exerciſe the ſaid office, v. pounds. 1. Iac. 22. *Changing yearely the Searchers and Sealers of Leather.*

31 If any Searcher or Sealer of leather, ſhall refuſe with conuenient ſpeede to

A Searcher or Sealer omitteth his dutie, or taketh bribes.

to ſeale any leather ſufficiently tanned, wrought, and vſed according to the true meaning of this Act, or doe allowe that which ſhal be inſufficient, then euery Searcher and Sealer, ſhall forfeit for euery ſuch offence xl.s. And further, if any Searcher of leather ſhall receiue any bribe, or exact any other fée, for the execution of his ſaid office, than is by this ſtat. limited, for the ſearching, ſealing, and regiſtring of leather, then euery ſuch ſearcher or ſealer, ſo offending, ſhall forfeit for euery ſuch offence xx.l. And if any perſon or perſons duely elected, according to the true meaning of this Act, to and for the execution of the ſaid Office of ſearching or ſealing of leather, refuſe to execute the ſaid office, then the ſaid perſon or perſons ſo refuſing, ſhall forfeit and pay x.l. 1. Iac. 22.

Leather brought to Leaden hall to be viewed and regiſtred.

32 All red tanned leather, which ſhall be brought into the citie of London, or within three miles compaſſe from the ſame, whether it be to be ſold, or be bought before hand or no, ſhall be brought to Leaden hall before it be houſed in his or their owne houſes, and there viewed, whether it hath béene ſearched, or ſealed, or no, and ſhall alſo bée regiſtred by the Searchers to be appointed as is aforeſaid, with halfe ſuch fées to be paid, for ſuch of the ſaid tanned leather, as ſhall be bought out of the ſaid citie of London, or three miles compaſſe from the ſame, and ſhall be duly ſearched and ſealed before it be brought within the ſaid Citie, as is hereafter expreſſed for leather to be ſold in Leaden Hall, vpon paine that euery perſon houſing, or not bringing his leather to Leaden Hall, as is aforeſaid, ſhall forfeit for euery hide or ſkinne, fiue ſhillings eight pence. Prouided, that this Article ſhall not extend to any leather to be bought in Bartholmew faire, or Southwarke market, béeing ſearched, ſealed, and regiſtred, according to the true meaning of this Act. 1. Iac. 22.

Searching and ſealing of leather ſold in or neere London.

33 No tanned leather ſhall be ſold within the Citie of London, or three miles diſtant from the ſame, before the ſame haue bin ſearched & ſealed by the ſearchers & ſealers, by vertue of this Act, to be appointed to & for the ſearching & ſealing of leather within the ſaid citie, & three miles diſtant from the ſame, vpon paine of forf. of all ſuch tanned leather otherwiſe ſold, or the full value thereof. 1. Iac. 22.

The penaltie for denying of ſearch.

34 If any perſon will wilfully withſtand or denie any ſuch ſearch to be made, according to the tenor of this Act, as is aforeſaid, or will not ſuffer the ſaid ſeuerall Maſters and Wardens of the ſeuerall Companies of Cordwainers, Curriers, Girdlers, or Sadlers, or other Searchers ſo appointed, to enter into his or their houſe or houſes, or other place to view and ſearch at their will and pleaſure, all maner of tanned leather, and all manner of Shoes, Bootes, Pales, Saddles, Coach couerings and Harneis, & all maner of Wares wrought & made, or to be wrought and made of leather, and to ſeize and carrie away al ſuch leather, ſhoes, & wares, as they ſhall find inſufficiently tanned, curried, or wrought, or made of ill ſtuffe: Then all and euery ſuch perſon and perſons, ſo denying and withſtanding, and not ſuffering the ſaid Maſter and Wardens, and Searchers, or any of them ſo appointed for the time béeing, to enter and make ſearch and ſeize as aforeſaid, ſhall loſe and forf. for euery time ſo denying and withſtanding, v.l. 1. Iac. 22.

Regiſtring of leather ſold and bought.

35 Such perſon and perſons as hereafter ſhall be aſſigned and appointed, ſearchers and ſealers of tanned leather, by vertue of this act, ſhall within the limits and precincts of euery of their Searches, kéepe one booke or regiſter, wherein they ſhall enter all ſuch bargaines as ſhall be made for leather, hides, or ſkinnes, by any perſon or perſons, during and by all the time of the Faire or Market, béeing thereunto required by the buyer or the ſeller, and alſo the prices of ſuch leather, bought and ſold, with the names and dwelling places of the buyer and ſeller, taking for the ſearching, ſealing, and regiſtring of euery tenne hides, backes, or buts of leather, with the neckes, wombes, and dibbins, or other peeces of offall cut off from ỳ ſaid backes or buts of leather, of the ſeller of euery ſuch ten hides, backs, or buts of

leather,

leather, ſo entred, two pence, and ſo after the rate, and for euery ſixe dozen of Calue ſkinnes, or ſheepe ſkins, two pence, and of the buyer after the ſame rate, & no more, greater or other ſumme or ſummes of money to be paid for ſearching, ſealing, or entring of any tanned leather. 1. Iac. 22.

36 No perſon or perſons ſhall ſell, exchange, or put away, or cauſe to be ſold, exchanged, or put away, any manner of tanned leather, red and vnwrought, except he or they regiſter or cauſe to be regiſtred, the ſaid tanned leather, and euery part and parcell thereof, and the price thereof, vpon paine of forfeiture of the value of the Leather ſo ſold, exchanged, or put away, and not regiſtred. 1. Iac. 22. No perſon or perſons ſhall at any time hereafter incurre any penaltie, loſſe, or forfeiture, for houſing, ſelling, or buying of any tanned ſheepe ſkins, vnſearched or vnſealed, ſo as the ſaid ſheep ſkinnes vnſearched and vnſealed ſhalbe wrought and conuerted into made wares within this realme of England, Any thing in the ſaid ſtatute of 1. Iac. to the contrarie notwithſtanding. 4. Iac. 6. The penaltie for ſelling leather not regiſtred.

37 It ſhall not be lawfull to or for any perſon or perſons, to buy any tanned leather, before the ſame ſhall be ſearched and ſealed, nor to carrie or cauſe to be carried, out of the Faire or Market, any leather till it be regiſtred as aforeſaid, vpon paine to forfeit the ſaid leather, or the value thereof, ſo bought and not ſearched and ſealed, or carried away, and not regiſtred. 1. Iac. 22. The penaltie for buying of leather not ſealed or regiſtred.

38 If any Currier within the ſaid citie of London, or three miles compaſſe of the ſame, doe currie any leather inſufficiently tanned, or doe not currie ſuch leather, as he doth or ſhall currie, ſubſtantially and well, according to the meaning & purport of this Act, or if any ſhoemaker, Cordwainer, or Cobler, within the citie of London, or three miles compaſſe of the ſame, put any tanned leather into any ſhoes, boots, buſkins, ſtartups, ſlippers, pantofles, or other things made of tanned leather, which ſhall not be wel and perfectly tanned, according to the purport and true meaning of this Act, Or doe put any curried leather into any boots, buſkins, ſtartups, ſhoes, ſlippers, pantofles, or other things made of leather, which ſhall not be well and ſufficiently tanned and curried, and alſo ſealed as is aforeſaid, or do make bootes, buſkins, ſhoes, ſtartups, ſlippers, pantofles, or other things made of Engliſh tanned leather, in any other manner than is aboue ſpecified, and ordained: Or if any ſhoemaker, ſadler, or other Artificer, vſing cutting or working of leather, doe make any wares of any tanned leather, inſufficiently tanned, or of tanned or curried leather, being not ſufficiently tanned and curried, as is aforeſaid, or do not make their wares, belonging to their ſeuerall occupations, ſufficiently and ſubſtantially, then euery perſon ſo offending, ſhall forfeit for euery ſuch ſeuerall offence, or default, the ſaid Wares, and the iuſt value thereof. Primo Iacobi 22. The penaltie of the Currier or Cordwainer omitting his dutie.

39 No manner of perſon or perſons, ſhall vtter or ſell, or cauſe to be vttered or ſold, within the ſaid citie of London, or within three miles compaſſe of the ſame, any manner of Wares appertaining to the Craft or Myſterie of any Artificer, vſing cutting of leather, but onely in open Shop, common Faire, or Market, whereby the ſaid Wardens may haue the true ſearch of the ſame, vpon paine of forfeiture of all ſuch Wares ſo ſolde, and tenne ſhillings for euery time. Primo Iac. 22. Selling of wares in ſhop, faire, or market.

40 All and euery perſon and perſons whatſoeuer, now being, or that hereafter ſhall be free of the ſaid citie of London, of what company ſoeuer, and all Forreiners, Engliſh or Aliens, and Straungers borne, dwelling or inhabiting, or which hereafter ſhall dwell or inhabit within the citie of London, or three miles compaſſe of the ſame, as well within places priuiledged, as not priuiledged, vſing or exerciſing any manuell occupation of cutting or working of leather into made wares, ſhall be vnder the ſuruey and ſearch of the Maſters and Wardens of ſuch Compa- All cutters of Leather in or neere London ſhal be vnder ſearch.

Companies of the ſaid City of London, as the Artificers commonly vſing the ſame Myſterie or Occupation, being freemen of the citie of London, and of the ſame Companie be, touching & concerning onely their wares and ſtuffe, made of or with leather, in like manner and forme, as other freemen of the ſame companis be or ſhall be: And ſhall contribute and pay to the ſaid ſeuerall Maſters and Wardens of the ſaid ſeuerall Companies for the time being, within the ſaid Citie, as the Artificers vſing the ſame myſterie being freemen of the ſaid citie, and of the ſame ſeuerall Companies, ſhall contribute and paie, the ſame to be recouered by diſtreſſe, or action of debt, in any of the K. Maieſties Courts of Record, In which no Wager of law for the defendant to be allowed. 1. Iac. 22.

Who ſhall haue the forfeitures.

41 All which paines, penalties, and forfeitures aforeſaid, of ſummes of money aforeſaid (except ſuch paines, penalties, and forfeitures, as are before, or hereafter by this Act, ſhall otherwiſe be diſpoſed) ſhalbe diuided into three equall parts, one part whereof ſhall be to the K. his heires and ſucceſſors, And another part to him or them that ſhall firſt ſue for the ſame, in any of the Courts of Record of the kings Maieſtie his heirs and ſucceſſors, by A. B. P. I. or otherwiſe, In which ſuit no W. or E. ſhall bee admitted, And the third part thereof ſhall goe to the citie, borough, towne, or Lord or Lords of Libertie, where the offence ſhall be committed or done. And all ſuch leather, ſhoes, bootes, buſkins, ſlartups, ſlippers, pantofles, wares, ſtuffe, or other things whatſoeuer made of tanned leather, or curried leather, which ſhall be ſeized by vertue of this Act, and ſhal be found by the Triers to be appointed as is aforeſaid, or by the Maſters or Wardens of the ſeuerall Companies aforeſaid, to be inſufficient, ſhall be forfeited & diſtributed as hereafter followeth: Such leather or ſtuffe ſo ſeized within the citie of London, or within three miles compaſſe of the ſame, to be brought to Guild hall in London, there to be priſed by indifferent perſons, and the value thereof to be diuided into three parts, whereof one part to be to the firſt ſeiſor and ſeiſors of the ſaid vnlawfull ſtuffe, and another part to the vſe of the Chamber of London, and the other part to be diſtributed to the poore folkes, as well being within the new Hoſpitall of Saint Bartholmewes in London, as to ſuch poore houſholders as ſhall be inhabiting within the citie of London, or the circuit aforeſaid, at the diſcretions of ſuch perſons, as the Mayor of the ſaid citie, & foure Aldermen of the ſame, for the time being, ſhall appoint for the ſame. And all ſuch leather, bootes, ſadles, wares, ſtuffe, and things made of or with leather, as is aforeſaid, which ſhall be found within any other citie, borough, towne, or place within this Realme, out of the ſaid citie of London, and three miles compaſſe, vnſufficiently wrought, tanned, or curried, as is aforeſaid, and ſhall be ſeized and tried to be forfeited in manner and forme aforeſaid, ſhall bee brought to the common Hall of euery ſuch citie, borough, and towne, or to ſome conuenient and open place to be appointed by the Lord of the Libertie, or his Deputie, where no common hall is, there to be priſed as is aforeſaid: One part of the ſaid value thereof, to be diſpoſed vnto the poore, and in other deedes of charitie, in thoſe parts, after the diſcretion of the Mayors, Bailifes, Headboroughs, and Lords of Liberties: Another part to be deliuered to the Maiors, Bailifes, and other head officers of any Citie, borough, or towne corporate, to the vſe of the Comminaltie of ſuch citie, borough, or towne corporate, and where no ſuch Officers be, then to the Lord or Lords of the Libertie where any ſuch forfeiture ſhall be committed, or ſeizure had: And the third part to the ſeizor or ſeizors of ſuch leather, ſtuffe, or wares, inſufficiently tanned, curried, or wrought, as is aforeſaid, for his and their paines. 1. Iac. 22.

Forfeited ware ſhall not be ſold to him that will ſel it.

42 No perſon to whom any ſuch vnlawful leather or ſtuffe ſhalbe giuen by this Act, ſhall giue or ſell any ſuch leather or ſtuffe to any perſon or perſons that ſhal ſell the ſame, vpon paine that the buyer ſhall forfeit for euery parcell of ſuch vnlawfull leather, or ſtuffe to be ſold, contrary to the true meaning of this laſt clauſe, iij. s. iiij. 1. Iac. 22.

43 But

43 But this Act, nor any thing therein contained, shall not in any wise be prejudiciall or hurtfull to the Chauncelors, Vicechauncelors, Proctors, Maiors, and Schollers, their Officers, Ministers, Assignes, or Farmers of the Universities of Oxford, and Cambridge, or any of them, of, for, or concerning the authoritie of search of tanned leather, or any of the forfeitures of the same, which they lawfully had, or might haue had before the making of this Act, so as they doe in all things obserue such order, in, about, or for searching, sealing, and registring of leather, as by this Act is prescribed and appointed, vpon the paine therein contained, any thing herein contained to the contrarie notwithstanding. 1. Iac. 22. Officers of Oxford and Cambridge.

44 The hides and skins of ore, steere, bull, cow, calfe, deere red, & fallow, goats and sheep, being tanned, or tawed, and euery salt hide, is, shalbe, and euer hath bin reputed and taken for leather. 1. Iac. 22. What shall be reputed lether

45 All Justices of Assise, Justices of gaole deliuerie, Iustices of Peace, & Stewards of Franchises, Leetes, and Lawdaies, within their seuerall precincts, iurisdictions, and liberties, And the Maior of London, for the time being, within the said citie, and within three miles compasse of the said citie, and all other Maiors, Bailifes, and other head Officers of cities, boroughs, and townes, within their seuerall iurisdictions, liberties, precincts, offices, and authorities, shall enquire of all the premisses in their Sessions, Leet, or Lawday, and heare and determine the same, and also by their discretions examine all persons suspected to offend this Acte, or any parcell thereof. Where any manor, libertie, or franchise, immediately appertaineth to the K. Ma. his heires or successors, The Steward for the time being of euery such manor, libertie, and franchise, shall haue the like authorities, powers, iurisdictions, & aduantages, and also shall beare & paie all the like paines, penalties, & forfeitures, as are giuen, appointed, limited, or laid by this stat. to or vpō the lords of liberties & franchises, as in this stat. is expressed. 1. Iac. 22. Who may enquire of and punish offendors.

46 All currying and dressing of leather, commonly called drie currying, & frizing shalbe construed to be dressing & currying of the maner of Spanish leather, of what colour soeuer it be: And to all Artificers (other than Shoomakers, verely betweene the last of Septemb. & the twentieth of April) it shall be lawfull to vse all kinds of leather dressed & curried in that maner of drie currying & frizing, as they lawfully might before the making of this act, So that the same leather so to be vsed, be well and sufficiently tanned according to the forme prescribed in this act, And also well and substantially dressed, curried, and frized, in the manner of drie currying and frizing aboue said. 1. Iac. 22. Spanish leather. Drie currying and frizing of leather.

47 This act & euery part thereof, shall be construed and adiudged, to extend to Wales, as amply as it doth to this Realme, to all intents. 1. Iac. 22. This Act shall extend to Wales.

48 If any person or persons, shall at any time hereafter procure, or obtaine any graunt, or L. patents, purporting to giue licence or authoritie to any person or persons, to dispence with, or tollerate any offence against any clause, prouision, or article, in this act, then & immediately from & after such letters patents, or graunt obtained, all & euery such clauses, articles, and prouisions, so by the said Letters patents, or graunt authorized, or licenced to be dispenced with, or tollerated as aforesaid, shall be vtterly repealed, void, & of none effect, Any thing in this act contained to the contrarie in any wise notwithstanding. 1. Iac. 22. Licence to dispence with offences.

49 It is not lawfull for any person to make any pelts, that is to say, to pull, sheare, clippe, or take away the woll of any sheep skin, or lambe skin, or to buy any skin of any stag, hind, bucke, doe, fawne, or kid, or the pelts or skins of any of the̅, vnlesse such person doe make, or cause to be made thereof, tawed, or vnlawful tanned leather, or parchment, or otherwise conuert the same into Semits, Pannels, or other his owne necessarie vses, vpon paine that euery person so making pelts, or buying any of the pelts, or skins aforesaid, shal forfeit the value of all such pelts Making of Pelts.

and ſkins made and bought, and two ſhillings fiue pence for euery ſkin or pelt. 5. El. 22. 8. El. 14.

Tranſporting leather, tallow or raw hides.

50 It ſhall not be lawfull for any perſon to lade, ſhip, or carrie in any veſſell or ſhip, or otherwiſe, any leather, tallow, or raw hides, of intent to tranſport the ſame into any place beyond the ſeas, or into Scotland, by land or by ſeas, vpon paine of the forfeiture of the ſaid leather, tallow, or raw hides, ſo laden or tranſported, and treble the value thereof, to be forfeited by the owner or owners. And alſo the owners of the ſaid ſhips or veſſels, knowing of ſuch offence, ſhall forfeit the ſaid ſhips or veſſels, with all their apparell and furniture to them belonging. And the Maſters and Mariners knowing of ſuch offence, ſhall haue impriſonment by the ſpace of one yeare, without baile or mainprize, & forfeit all their goods and cattels to the K. & I. to be recouered by A. I. &c. wherein no W. &c. P. &c. But if any owner of any ſuch ſhip or veſſell, or any Maſter or Mariner, knowing any ſuch tranſporting of leather, tallow, or raw hides, ſhall within three moneths next after his knowledge thereof, or after his returne into this Realme, giue good information bona fide, before any of the Barons of the Exchequer, or before the L. Preſident or Councell in the North, or in the Marches of Wales, or before the head Officer of any Port where he ſhall firſt arriue, vpon his oath, of the number and quantity of leather, tallow, and raw hides ſo tranſported, and by whom, where, and in what ſhip or veſſell, and afterwards ſhall be readie vpon reaſonable warning by proces, to iuſtifie and prooue the ſame for the Queene, then ſuch owner, Maſter, or Mariner, ſhal not forfeit his ſhip, nor incurre the forfeitures aforeſaid. 18. El. 8.

Owners of ſhips.

Mariners.

Buying leather to tranſport by licēce

51 Euery perſon which hath the K. licence to carrie ouer ſea any tanned leather, may buy in open faire or market, ſo much as he ſhall be licenced to tranſport, ſo that the ſaid licence be ſhewed to the chiefe Officer of the ſaid faire or market, which Officer ſhall writs vpon the backe ſide of the licence, how much leather the partie licenced hath bought, and the day, time, and place of buying the ſame, that thereby it may appeare, how and when euery ſuch licence ſhall bee ſatiſfied. 5. Ed. 6. 15.

Tranſporting of ſhoes, bootes, &c.

52 No perſon ſhall ſhip or cauſe to be ſhipped (to the intent to tranſport ouer the Sea, as marchandizes to be ſold or exchanged there) any ſhoes, bootes, buſkins, ſtartups, or ſlippers, vpon paine to forfeit the ſame to the King, & him that will ſeize or ſue for the ſame, by A. I. &c. wherein no W. &c. E. P. &c. But this Act ſhall not be preiudiciall to any perſon for tranſporting ſo much of the foreſaid wares, vnto the Iſle of Man, as is neceſſarie for the furniture of the K. ſubiects there. 5. Ed. 6. 15.

Ingroſſing of tanned leather

53 If any perſon do buy or ingroſſe any kind of tanned leather, to the intent to ſell the ſame againe (except Sadlers, Girdlers, Coordwainers, and other Artificers making wares of leather, which may buy ſuch kind of tāned leather, as is neceſſarie for their occupying to be wrought by them) he ſhall forfeit the ſame, or ỹ price thereof. But the foreſaid artificers may ſell their wombs, ſhreds, & neckes, which they cannot occupie about their wares. 5. Ed. 6. 15.

Tanned leather ſhall not be ſold by weight.

54 No perſon or perſons, ſhall vtter or ſell, or cauſe to be vttered or ſold by weight any kind of tanned leather whatſoeuer, vpon paine of forf. of ỹ ſaid leather ſo vttered and ſold, to the K. &c. and I. the ſaid leather, or the value therof, to be recouered in any of the K. Courts of Record, by A. B. P. or I. &c. wherein no W. E. or P. ſhall be allowed. 4. Iac. 6.

1 What Subſedie or cuſtome ſhall be paid for Leather tranſported. S. Cuſtome 8. 9.

2 For the Shipping and Tranſporting of certaine Leather. See Marchants 4.

Limita-

Limitation of preſcription.

NO perſon or perſons ſhall ſue, haue, or maintaine any writ of right, or make any preſcription, title, or claime, to or for any manors, lands, tenements, rents, annuities, commons, pencions, portions, corodies, or other hereditaments, of the poſſeſſion of his or their auncestor or predeceſſor, and declare and alleadge any further ſeiſin or poſſeſſion of his or their auncestor or predeceſſor, but onely of the ſeiſin or poſſeſſion of his auncestor, or predeceſſor, which hath bin, or now is, or ſhall be ſeiſed of the ſaid manors, lands, &c. or other hereditaments, within fiftie yeares next before the Teſte of the ſame writ, or next before the ſaid preſcription, title, or claime, ſo ſued, commenced, brought, made, or had. 32. H. 8. 2. Writ of right. 60. yeares.

2 No perſon or perſons, ſhall ſue, haue, or maintaine, any Aſſiſe of Mortdanceſter, Coſinage, Aiel, writ of Entre vpon Diſſeiſin, done to any of his auncestors or predeceſſors, or any other action poſſeſſarie vpon the poſſeſſion of any of his anceſtors or predeceſſors, for any mannors, lands, tenements, or other hereditaments, of any further ſeiſin or poſſeſſion of his or their auncestor or predeceſſor, but onely of the ſeiſin or poſſeſſion of his or their auncestor or predeceſſor, which was, or hereafter ſhall be ſeiſed of the ſame manors, lands, tenements, or other hereditaments, within 50. yeares next before the Teſte of the originall of the ſame writ to be brought, &c. 32. H. 8. 2. Actions poſſeſſarie. 50. yeares.

3 No perſon nor perſons ſhall ſue, haue, or maintaine, any action for any manors, lands, tenements, or other hereditaments, of, or vpon his or their owne ſeiſin or poſſeſſion therein, aboue 30. yeares next before the Teſte of the originall of the ſame writ to be brought &c. 32. H. 8. 2. His owne ſeiſin 30. yeares.

4 No perſon nor perſons ſhall make any auowrie or cogniſance, for any rent, ſuit, or ſeruice, and alleadge any ſeiſin of any rent, ſuit, or ſeruice in the ſame auowrie, or cogniſance, in the poſſeſſion of his or their auncestors, or predeceſſor or predeceſſors, or in his own poſſeſſion, or in the poſſeſſion of any other whoſe eſtate he ſhall pretend or claime to haue, aboue 50. yeares next before the making of the ſaid auowrie to cogniſance. 32. H. 8. 2. Auowrie. 50. yeares.

5 All Formedons in reuerter, Formedons in remainder, and Scire facias vpon fines of any manors, lands, tenements, or other hereditaments, ſhall be ſued and taken within fiftie yeares next after the title and cauſe of action fallen, and at no time after the ſaid fiftie yeares paſſed. 32. H. 8. 2. Formedon. 50. yeares.

6 If any perſon or perſons at any time doe ſue any of the ſaid actions or writs, for any manors, lands, tenements, or other hereditaments, or make any auowrie, cogniſance, preſcription, title, or claime, of, or for any rent, ſuit, ſeruice, or other hereditaments, and cannot proue that he or they, or his or their auncestors or predeceſſors, were in actuall poſſeſſion or ſeiſin, of in the ſame manors, lands, tenements, or hereditaments &c. at any time within the yeares before limited in this Act, and in maner and forme as is aforeſaid, if the ſame be trauerſed or denied by the partie plaintife, demaundant, or auowant, or by the partie tenant or defendant: Then and after ſuch triall therein had, all and euery ſuch perſon and perſons and their heires, ſhall from henceforth be vtterly barred for euer, of all and euery the ſaid writs, actions, auowries, cogniſance, preſcription, title, & claime hereafter to be ſued, had, or made, of, and for the ſame manors, lands, &c. or other the premiſſes, or any part of the ſame, for the which the ſame action, writ, auowry, cogniſance, preſcription, title, or claime, ſhall be at any time had, ſued or made. But if any falſe verdict happen to be giuen or made in any of the ſaid actions, ſuits, auowries, preſcriptions, titles, or claimes, Then the partie grieued by reaſon of the ſame, ſhall and may haue his Attaint vpon euery ſuch verdict ſo giuen Warre for default of ſeiſin within the time of limitation. Attaint vpon falſe verdict.

or made, and the plaintife in the ſame Attaint, vpon iudgement for him giuen, ſhall haue his recouerie, execution, and other aduantage in like manner & forme, as heretofore hath bene vſed and accuſtomed: any thing &c. notwithſtanding. 32. H. 8. 2.

Right of aduowſon. Aſſiſe of Darrein preſentmẽt

7 But the former Act made Anno 32. H. 8. or any matter therein contained, ſhall not extend to any writ of Right of aduowſon, Quare impedit, or Aſſiſe of Darrein preſentment, nor Iure patronatus, nor to any writ of right of ward, writ of rauiſhment of Ward, for the wardſhip of the bodie, or for the wardſhip of ỹ lands, tenements, or hereditaments, holden by Knights ſeruice, nor to the ſeiſe or the

ward. wardſhip of the bodie of any ward or wards, nor to the ſeiſe or wardſhip of any lands &c. holden by Knights ſeruice. But euery perſon and perſons, bodies politique and corporate, their heires and ſucceſſors, ſhall and may haue and purſue all and ſingular the ſaid writs of Right of aduowſon, Quare impedit, aſſiſe of Darrein preſentment, Iure patronatus, writs of right of ward, rauiſhment of ward, and alſo ſeiſe the wardſhip both of the bodie and of the lands &c. holden by knights ſeruice, in like manner to all intents, as they or any of them ſhould or might haue done before the making of the ſaid Act made. 32. H. 8. Ann. 1. M. 5.

Linnen Cloth.

The contents of Dowlas & Lockrum.

IF any perſon Engliſh or Stranger, Denizen or Alien, doth put to ſale any whole peece, or halfe peece of Linnen Cloth called Dowlas or Lockrum, vnleſſe there be mention expreſſed vpon euery of the ſaid whole peece, or halfe peece ſo put to ſale, the whole number of the yards or elles that is contained in the ſaid whole peece, or halfe peece, he ſhall forf. the ſaid whole peece, or halfe peece, to the K. & him that will ſeize and ſue for the ſame by A. I. &c. or otherwiſe, wherein no W. &c. E. &c. 28. H. 8. 4.

Stretching or impairing of Linnen Cloth.

2 If any perſon do wittingly caſt or cauſe to be caſt, any peece of Linnen cloth ouer a beame or peece of timber, and doth by any deuiſe, racke, ſtretch, and drawe the ſame of length and breadth, and then doth with battledors, peeces of timber & wood, beat the ſame, and caſt thereupon any deceitfull liquors mingled with choke or other like things, or doth wittingly vſe, or cauſe to be vſed, any other act or meane, to, in, or with any kind of linnen cloth, whereby the ſame ſhall be deceitful or worſe, to and for the good vſe thereof: then he ſhall forfeit his ſaid cloth to the Q. and I. and ſuffer one moneths impriſonment at the leaſt, and pay ſuch fine as ſhall be aſſeſſed by the Iuſtices, before whom he ſhalbe condemned. 1. El. 12. S. Iuſt. of P. 61.

Liuerie and Ouſter le maine.

The K. ſhall haue primer ſeiſin.

THe K. ſhall haue primer ſeiſin after the death of thoſe which hold of him in chiefe, of all the lands & tenements whereof they were ſeized in their demean as of fee, of what age ſoeuer their heirs be, by taking ỹ iſſues of the ſame land, vntil inquiſition be made, as the cuſtom is, and that he hath receiued the homage of ſuch heires. Prerog. Reg. 17. E. 2. 3. Marlb. 52. H. 3. 16.

An heire entring into lands holden of the K. without liuerie.

2 When any perſon which holdeth of the K. in Capite doth die, and his heire doth enter into the land that his auncеſtor held of the K. the day of his death before he hath done homage to his grace, and receiued of him ſeiſin, he ſhall thereby gaine no freehold, and if he die ſeized during the time, his wife ſhall not be endowed of ỹ ſame land. But this is not meant of ſocage and ſmall tenures. Prerog. Reg. 17. Ed. 2. 13.

3 If it be found for the K. &c. that the heire or heires of his tenant or tenants is

or

or be within age, where indeed ſuch heire or heires is or ſhall be at the ſame time of full age, or of a more or greater age then is contained within ſuch office: In euery ſuch caſe ſuch heire or heires ſhall and may at his or their very full age or after, proſecute a writ of Aetate probanda, and ſue his or their Liuerie or Ouſter le maine, as his or their caſe ſhall lie, and haue the profits of his or their lands &c. frō that time of his or their very full age: any ſuch vntrue office, or any law or cuſtom notwithſtanding. 2. E. 6. 8. The heire of full age found within age.

4 All liueries to be ſued out of the K. hands, his heires and ſucceſſors of any lands, tenements, rents, reuerſions, remainders, or other hereditaments whatſoeuer, ſhall be in the order, ſuruey and gouernance of the Court of Wardes and Liueries, and the miniſters of the ſame. And the Maſter, Surueyor, Atturney, and generall Receiuer of the ſaid Court, or three of them (whereof the Maſter or Surueior to be one) ſhall haue authoritie after offices and inquiſitions found, to couenant and indent with euery perſon for his liuerie of the lands, tenements, and hereditaments, compriſed or not compriſed in ſuch offices, and to ſet, and rate the price for the ſame, and to appoint the daies of paiment thereof, by Obligation or Obligations taken for the ſame to the King, which Obligations ſo made, and euery of them, ſhall be good and effectuall in law, and of like ſtrength, as writings obligatorie made by any lay perſon, by authoritie of the ſtatute of the Staple, bin or ought to be. And all and ſingular bills for any ſpeciall or generall liuerie to bee ſued, aſſigned by the hands of the ſaid Maſter, Surueyor, Atturney, Receiuer, or three of them, whereof the Maſter or Surueior to be one, ſhall be a good and ſufficient warrant to the Chauncelor of England, and of the Dutchie of Lancaſter, and all other Chauncelors and Officers, hauing power to paſſe liueries vnder any of the K. Seales, for the making out, ſealing and deliuerie of any liueries, according to the purport and effect of ſuch bils with other clauſes of courſe neceſſarie for the ſame. 33. H. 8. 22. Liueries be in the order of the Court of Wards. Warrants to paſſe liueries.

5 No perſon hauing lands or tenements aboue the yearely value of v. l. ſhall haue or ſue any Liuerie before office found before the Eſcheator or other Commiſſioner &c. by vertue of the Kings writ or Commiſſion &c. directed out of the Chauncerie or any other Courts &c. which writs or commiſſion ſhall not paſſe out of the Chauncerie, or any other Courts hauing authoritie to make ſuch writs or commiſſions, but by a warrant or bill aſſigned and ſubſcribed with the hands and names of the Maſter, Surueyor, Atturney, and Receiuer of the Court of Wards and Liueries, or three, two, or one of thē, to be directed and deliuered to the Chancelor of England, or to any other Chauncelor or officer, hauing power to award ſuch writs. 33. H. 8. 22. No Liuery of lands to the yearely value of v. l. before office. Warrants for writs to find offices.

6 But euery heire which is in caſe to ſue liuerie, where his lands & tenements exceed not the yearely value of v. l. ſhall lawfully ſue forth his generall liuerie by warrant made from the Court of Wards and Liueries, although there be no other inquiſition thereof had nor certified, and ſhall pay the fees of euery ſuch liuery as be hereafter expreſſed for the fees of a generall liuerie, not exceeding the yearely value of v. l. as though the ſame liuerie were made and ſued forth vpon an office found by vertue of the K. writ. 33. H. 8. 22. Generall liuerie without inquiſition.

7 Euery perſon may ſue at his pleaſure a generall liuery after office thereof by writ or commiſſion found, returned and certified for any manors, lands, tenements, rents, reuerſions, remainders, or other hereditaments, whereof the cleare yearely value doth not exceed xx. l. the value of which lands &c. ſhall be taken as is limited in the Offices found thereof (except by the examination and certificat of the ſaid Maſter, Surueyor, Atturney, and Receiuer Generall, or three of them, it ſhall otherwiſe appeare, and be declared in any of the Kings Courts.) But no ſuch liuerie ſhall be ſued or paſſe, without a bill or warrant firſt obtained A generall liuerie of lands not exceeding xx. l.

for the ſame from the ſaid Maſter, Surueyor, Attorney, or Receiuer, and ſigned and ſubſcribed with the names and hands of them, or three of them, as is aforeſaid. 33. H. 8. 22.

The fées of a generall liuery

8 If the lands, tenements, or hereditaments, whereof a generall liuerie may be ſued by this Act, exceed the cleare yearely value of v. l. then ſuch as ſhall ſue, and haue ſuch generall liuerie, ſhall paie for the ſeale thereof twentie ſhillings foure pence, and all other ſuch fées as heretofore in ſuch caſes haue bin accuſtomed vpon the ſuing of any generall liueries. And if the lands, tenements, &c. whereof any ſuch generall liuerie ſhall be ſued, exceed not the cléere value of v. l. then euery perſon ſuing for any generall liuerie, ſhall paie for the ſeale of euery ſuch liuerie xij. s. and to the Clerkes of the petit bagge for the writing and enrolling thereof xx. s. and for reſpite of Homage in the Hanaper viij. s. and to the Lord Great Chamberlaine xx. s. and to the Clerke of the Liueries for the warrant and enrolling of ỳ liuerie twentie pence, and to the Maſter of the Rolles xx. s. and none other fées. 33. Hen. 8. 22.

within what time a liuery ſhall be ſued forth.

9 Euery perſon to whom the King ſhal grant any Liuerie, to be ſued vpon his bill aſſigned thereof with the Kings hand, or with the hands of the Officers of his Court of Wards and Liueries, ſhall ſue forth his patent within three moneths next after the aſſignement of the ſaid bill, or els the ſame bill and the effect thereof ſhall be void. 33. H. 8. 22.

Liueries ſhall be inrolled.

10 Euery Ward hauing his liuerie, ſhall within fiue moneths next after the liuerie had, bring the ſame to the Auditors of the Court of Wardes &c. or to one of them, to haue the ſame there inrolled for the diſcharge of the lands againſt the K. according to the tenour of the ſaid liuerie, and ſhall pay for the inrolment thereof ſuch reaſonable ſumme of money, as ſhall be appointed by the Maſter of ỳ Wards &c. ſo that it exceed not x. s. 32. H. 8. 46.

Where the owner ſhall haue his lands with the iſſues

11 If the Eſcheator or Shiriſe doe ſeize any lands into the Kings hands, where there is no cauſe of ſeizure, and after the ſame lands be deliuered out of the Kings hands for the ſame cauſe, the iſſues alſo ſhall be fully reſtored to him who hath the land, and which hath ſuſtained the loſſe. Artic. ſuper Chartas 28. Edward. 1. 19.

Amouear manum cum exitibus.

12 If by Enqueſts taken by Eſcheators by any Writs ſued out of the Chancerie, and returned, if it be found, that nothing is holden of the King, whereby he ought to haue the Ward of ſuch lands, by reaſon of the Enqueſts taken by his Eſcheators, immediately the Eſcheators ſhall be commanded by the Kings writ directed out of the Chauncerie, to deliuer their hands, and put from them all the lands and tenements ſo ſeized, into the Kings poſſeſſion. And if they haue taken any profits of ſuch lands &c. they ſhall make full reſtitution to him or them to whom it was found by Enqueſts, that ſuch lands ought to remaine from the time that ſuch lands fell into the Kings hands. But if, after the Eſcheators haue diſcharged their hands by force of the Kings Writ, any thing happen to be found in the Chauncerie, Exchequer, or any other of the Kings Courts, whereby the Wardſhip of ſuch lands, whereof the Eſcheators haue diſcharged their hands, ſhould belong vnto the King, immediately he, in whoſe hands ſuch lands ſhall happen to be, ſhall be ſummoned to be before the King at a certaine day whereſoeuer &c. to ſhewe if he can ſay any thing, wherefore the King ought not to haue the Wardſhip of ſuch lands, according to the forme of the Euidences or Remembrances found for him. And if he come in and ſhewe why the Ward of ſuch lands doth not or ought not belong vnto the King, but that it ought to remaine to himſelfe, hée ſhall goe quite, and retaine the Wardſhip: But if the partis warned doe not come, or doth come and can ſay nothing, why the King ſhould not haue the Wardſhip, immediately the lands ſhall be reſeized into the Kings

Mesniler.

hands

hands by reaſon of Wardſhip, to be kept vntill the full age of the heire of the ſame. And if it be found by the Enqueſts taken by the Eſcheators, and returned, that the cuſtodie of the ſame lands, contained in the inquiſitions, and ſeiſed into the Kings hands, ought not to remains vnto the King, the Eſcheator ſhall bee commaunded forthwith to diſcharge his hands thereof, and to reſtore the whole iſſues. And in like ſort, if it be found by euidence and remembrances in the Chauncerie, Exchequer, or otherwiſe, that the King ought to haue the cuſtodie of them, his Maieſtie ſhall be anſwered the whole iſſues therof at their hands, which held the ſame lands from the time they were firſt taken into the K. hands by the Eſcheators by the foreſaid writs. 29. E. 1. Stat. de Eſchaetoribus.

13 If an Eſcheator or other Miniſter hath ſeiſed to the Kings vſe any Cities, Boroughes, Townes, Manors, Hundreds, Franchiſes, Mils, Herbage, Moll, Pleas and Perquiſits of Courts, or other lands, or tenements, whereof profit riſeth from time to time through the yeare, and after hath made Liuerie thereof to the heire by the Kings commaundement out of the Chauncerie, before the terme of payment be come, yet hee ſhall be charged to anſwer the King for the rate and portion of the time, according to the auntient courſe of the Exchequer. But auntient farmes and rents which bee to bee paid at certaine termes, as Rent ſecke, and Rent ſeruice, whereof no profit riſeth vntill the day of payment, ſhall be payed to them which haue liuerie out of the Kings hands, at the day of payment of the ſame farmes and rents which doe enſue ſuch liuerie. 28. Ed. 3. 4. S. Eſcheators, Office, Trauerſe, Wards. Meane rates.

Liueries and Retainers.

IF any perſon ſhall giue any Chaperons, Hats, or ſuch like Liueries to any man, for maintenance of quarrels, or other confederacies, hee ſhall forfeit C.s. for euerie ſuch liuerie. And he which receiueth ſuch liuerie, ſhal forfeit xl.s. 1. R. 2. 7. 7. H. 4. 14. 13. H. 4. 3. 8. H. 4. 6. 8. E. 4. 2. Giuing of liueries for maintenance.

2 If any perſon of his owne authoritie and proper coſts, doe buy or weare for his clothing any Clothes, or Hats, called Liueries, of the ſort or ſuit of any Lord, Ladie, Knight, Eſquire, or other perſon, to haue ſupportation, ſuccour, or maintenance in any quarrell, or in any other manner, and bee thereof lawfully conuict, hee ſhall forfeit fortie ſhillings, and be one yeare impriſoned. 8. H. 6. 4. 8. Ed. 4. 2. wearing of liueries for maintenance.

3 If any which is a Knight or Eſquire meniall of the Kings, or which is of his retinue, to whom his Maieſtie ſhal giue his honourable Liuerie, do weare his ſaid Liuerie in the Country or Countie, where he is reſiant or dwelling, or in any other place of the Realme, out of the Kings preſence (ſaning in going or comming from the Kings houſe) and is thereof duely attainted, he ſhall loſe his liuerie, and forfeit his fees for euer. 1. H. 4. 7. wearing the K. liuery.

4 No congregation or companie ſhall make any Liuerie of Cloth, or of Hats at their owne coſts, vpon paine that euerie one of the ſame congregation or company ſhall forfeit fortie ſhillings (except Guildes and Fraternities, and alſo people of Arts and Sciences, within Cities and Boroughes, which be ordained to a good intent) 7. H. 4. 14. Companies.

5 No perſon by himſelfe, or any other for him, ſhall giue any liuerie or badge, or retaine any perſon other then his meniall ſeruant, officer, or learned man in the one law, or in the other, by any writing, othe, or promiſe, and if any doe the contrarie, he ſhall forfeit for euerie ſuch liuerie or badge giuen C.s. And he which doth retaine or take of another ſuch othe, writing, or promiſe, or is retained by Indenture, ſhall forfeit C.s. for euerie moneth that any perſon is ſo retained with him by Giuing or taking of liueries or badges and retaining.

In what courts the Informer may prosecute his suit.

by othe, writing, Indenture, or promise. And euerie person which is retained by writing, Indenture, othe, or promise, for euerie moneth that he is so retained, shall forfeit C.s. to the K. and I. And euerie person that will sue against any other for any offence committed contrarie to this Statute, or any other of the premisses before the K. Justices in his Bench, before the Just. of the Common Pleas, Justices of peace in their Sessions, Just. of Oyer and Terminer, and Gaole deliuerie, Just. of the Counties Palantine of Lancaster and Chester, and in the Court of Yeamshire, and in the court of the Bishop of Durham in the Countie Palantine of Durham, shalbe admitted thereunto by the discretion of the said Iudges, to giue information for the King of any of the premisses, committed within the iurisdiction of the same Courts. And euerie Informer shalbe admitted to sue for the K. and himselfe, action or actions vpon the same by Information in any of the said Courts, against as many such offendors in one Bil of Information, as liketh him, which information shalbe in stead of a Bill or Originall Writ, wherein such proces shall be awarded, as in an Originall Writ of Tresspasse against the peace (but that in the Counties Palantine of Lancaster and Chester, nor in Duresme, no Exigent shall be awarded vpon any Information, Suit, or Proces, to bee made by force of this Ordinance, and if any be, or any Outlawrie thereupon pronounced, the same shall be void without any Writ of Error.) And if any of the offendors be present in any of the said Courts, any of the Justices may command him to be brought to answer to such bill, vpon such information (by an othe first to be taken vpon a booke by such Informer, before some one of the Iudges, that his complaint is true) without any other or further proces therein. And euerie of the same Iudges within his iurisdiction, may by his discretion examine euerie of the defendants vpon such information, and iudge him conuict, as well by examination as by triall. And the K. shal haue the one halfe of the forfeiture (if it be not in a Citie or Towne Corporat, that hath the same by the Kings &c. grant) and the Informer the other halfe, which also shall recouer his costs by the Iudges discretion, and execution thereof, as in recoueries vpon debt, or tresspasse, wherein no E. P. &c. 8. E. 4. 2.

At what time, and by whom giuing of Liueries is lawfull,

6 But this Act extendeth not to any gift, grant, or confirmation made of any Fee, Annuitie, Pention, Rent, Lands or Tenements, by the King, or any others, to any other person or persons for their counsell giuen, or to bee giuen, or for their lawfull seruice done, or to be done (and for no other vnlawfull cause or vnlawfull intent) although the person to whom such gift, graunt, or confirmation is made, be not learned in the one Law, or the other. Neither doth it extend to any Liuerie giuen at the Kings or Quenes Coronation, or at the installment of any Archbishop or Bishop, or erection, creation, or mariage of any Lord or Ladie of Estate, or at any creation of any Knight of the Bathe, or at the commencement of any Clerke in any Vniuersitie, or at the creation of Serieants of the law, or giuen by any Fraternitie, Guild, or Mystery Corporat, or by the Maior, Sherife, or other chiefe Officer of any Citie, Borough, Towne, or Port of this Realme of England, for the time being, during that time, for the executing of their office or occupation: Nor to any Liueries or Badges giuen in the defence of the King, and of this Realm: Nor to the Constable or Marshal, for giuing any Badge, Liuerie, or token, for any feats of Armes to be done within this Realme: Nor to any Wardens of the Marches towards Scotland, for any Liuerie, Badge, or token by them giuen from Trent Northward, at such time onely as shalbe necessarie to leuie people for the defence of the Marches. 1. H. 4. 7. 8. E. 4. 2.

The K. officers shall not be retained with others, nor shall retaine his tenants.

7 If any Steward, Auditor, Receiuor, or Bailife, of any of the Kings Honors, Lordships, Manors, Lands, and Tenements, Constable, or Keper of any of his Castles, Warden, Master of Game, Parke keper, or any other Officer of any of his said Forests, Chases, Parkes, or Warrens, shalbe vnlawfully retained with

any

any perſon, or retaine any man dwelling within any of the ſaid Honours, Lordſhips, Manors, Lands, and Tenements, contrarie to any Act or ordinance before this time made: Or ſuffer any man dwelling within the ſame Honors, Lordſhips, &c. to be vnlawfully retained with any other man or perſon, what degree, or condition ſoeuer he be of, and ſhew it not to the King within fortie dayes next after hee haue knowledge thereof, and how, and with whom he is ſo retained: Or if any of the ſaid Officers conuey any of the ſaid tenants, inhabitants, or farmors to the K. to any field, aſſemblie, or rout, otherwiſe then by the Kings commandement, to doe him ſuch ſeruice as he ſhalbe commanded, and that alway in the Kings Liuery and ſigne, with a cogniſance of him which ſo conueieth them by the K. commandement: Or if ſuch Officer come not to the K. in the time of trouble, or war, when he thereunto ſhalbe commanded, hauing no reaſonable excuſe to the contrarie, All graunts then made or had to him, of any of the ſaid Offices by the King, or by any of the Kings Progenitors, or Predeceſſors, ſhall bee vtterly void, and of none effect. 3. H. 7. 12. *The K. Officers at his commandement.*

8 If any Farmor or Tenant within any of the ſame Honors, Lordſhips, Manors, Lands, and Tenements, be retained with any perſon or perſons, contrarie to the Statutes, by liuerie, ſigne, token, or othe, indenture of promiſe, or to go to any field, gathering, or aſſembly, in any mans liuerie ſigne, or token, but onely in the K. liuerie and ſigne, and to ſerue him onely, and where he ſhall bee commanded by the King, All graunts and leaſes to him made for terme of yeares, or at will, of lands, tenements, rents, or other poſſeſſions, being parcell of any the ſayd Honors, Lordſhips, Manors, Lands, and Tenements, ſhalbe then vtterly void, and of none effect. 3. H. 7 12. *The K. tenants ſhal not be retained with any other*

It appeareth by one Proclamation of the iij day of Ianuarie, Anno 14. Eliz. and by one other of the xix. of Aprill, Anno 15. of her raigne, made againſt Retainers, That her Graces pleaſure is, that the foreſaid Stat of 3. H. 7. amongſt other Statutes prouided againſt vnlawfull Retainers, ſhould be duely obſerued and executed. But conferre this Stat. of 3. H. 7. with the Statutes made 11. H. 7. 18. and 19. H. 7. 1. which were prouided to auoid the like inconueniences that this was, and penned in ſuch maner as this is: And then, whether this Statute was prouided to be perpetuall, or made onely to continue during the life of K. H. 7. as generally men do think the other two Statutes were, Q. Vide Dier fol. 211.

1 What iſſues ſhalbe returned vpon any perſon in an Information ſued vpon the Statute made againſt giuing of Liueries. S. Returne of Sherifes 10.

London.

EVerie perſon and perſons whatſoeuer, being free of the Citie of London, which now hath, or hereafter ſhall haue any debt or debts owing vnto him, or them, not amounting to xl. s. by any debtor or debtors inhabiting in London, or within the Liberties therof, ſhall or may cauſe ſuch debtor or debtors to be warned or ſummoned by the Beadle or Officer of the Court of Requeſts for the time being, to appeare before the Commiſſioners of the ſaid Court, holden in the Guild Hall of the ſaid Citie. And the Commiſſioners, or the greater part of them ſhall from time to time ſet downe ſuch order or orders, betweene ſuch partie or parties plaintife, and his or their ſuch debtor or debtors defendants, touching ſuch debts, not exceeding the value of xl. s. in queſtion before them, as they ſhal find to ſtand with equity and good conſcience. All ſuch their order or orders to be regiſtred in a booke, as they haue beene accuſtomed, and as well the partie plaintife, as the debtor, or defendant, to obſerue and keepe the ſame in all points. 1. Iac. 14. *Orders betweene the creditors and debtors in London.*

Not appearing before Cõmissioners or not performing their orders.

2 If any such Defendant or Debtor shall, after warning giuen him, her, or them by the said Officer of the said Court for the time being, refuse, or neglect to make his apparance in the said court of Requests, before the Commissioners for the time being, at the time appointed: Or if any partie, plaintife, or defendant, shall not performe such order as the said Commissioners shall set downe, then it shall be lawfull for the said Officer of the said court, or any of the Serieants at Mace of the said Citie, by order of the Commissioners of the said Court for the time being, or of the greater part of them, to commit such partie or parties to prison into one of the Counters of the said Citie, there to remaine, vntill he or they shall performe the order of the same Commissioners, or of the more part of them, in that behalfe made. 1. Iac. 14.

A Londoner suing for xl.s. out of the citie

3 If any person or persons whatsoeuer, being free of London, and there inhabiting, shall hereafter for any debt, not amounting to xl.s. sue any person or persons whatsoeuer, being Citizen or Freeman of London, dwelling within the said Citie, or the Liberties thereof, in any of the K. Courts at Westm. or elsewhere out of the said Citie, euerie such defendant shalbe free from paying to the plaintife the costs and charges due to him for the said suit. And the same plaintife shall pay so much ordinarie costs to the partie defendant, as such defendant shall iustly proue before the Commissioners in the said Court, or the greater part of them, it hath truly cost him in defence of the said suit. And if such person or persons plaintife, shall after warning giuen him or them, or to his or their Atturney or Atturneies in the sayd suit, by the said Officer of the Court of Requests, refuse to appeare in the said court before the said Commissioners, being thereunto warned by the Officer of the sayd Court, or to satisfie to the defendant so much as shalbe proued before the said Commissioners, and by them alleged, as aboue said: Or if the said plaintif or defendant shall not performe such order, as the said Commissioners, or the more part of them, shall set downe for his or their debts, or other controuersies, not exceeding fortie s. Then it shalbe lawfull for the said Officer of the said Court, or any other of the seriants at Mace of the said Citie, by order of the said Commissioners, or the greater part of them, to commit such partie or parties to prison, into one of the Counters of the said Citie, there to remaine, vntil he or they shall performe the order of the commissioners in that behalfe. 1. Iac. 14.

Refusing to performe the Cõmissioners orders.

Debt for rent.

4 But this Act shal not extend to any debt for any rent, vpon any lease of lands or tenements, or other reall contract, nor to any other debt that shall arise by reason

Testaments. Matrimonie.

of any cause concerning testaments or matrimony, or any thing concerning or properly belonging to the Ecclesiasticall Court, albeit the same shall be vnder xl.s. Any thing before contained to the contrarie notwithstanding. 1. Iac. 14.

Mainprise and Baile.

Who are not mainpernable

NO prisoner shall be let to Mainprise, which before was outlawed: Nor hee which hath abiured: Nor any approuer: Nor he which is taken with the maner: Nor he which hath broken the Kings prison: Nor a theefe openly defamed, and knowne: Nor hee which is appealed by an approuer, so long as the approuer doth liue, except hee be of good name: Nor he which is taken for burning of a house feloniously done, or for false money, or for counterfeiting the Kings Seale: Nor any excommunicat person, taken at the Bishops request: Nor hee which is taken for a manifest offence, or for treason touching the King. West. 1. 3. Ed. 1. 15. And by the same statute it doth appeare, that he which was taken for the death of a man by the K. commandement, or his Iust. or for the forest, was not repleuisable by the Common Law.

2 But

2 But such as be indicted of Larceny by enquests taken before Sherifs or Bailifes by their Office, or of light suspition, or for petit Larcenie, that amounteth not aboue the value of xij.d. if they were not guiltie of some Larcenie before, or guiltie of receit of theeues or felons, or of commandement or force, or of aid in felonie done, or guiltie of some other trespasse, for which one ought not to lose life, or member, And a man appealed of an appruer, after the death of the appruer, if he be no common theefe, nor defamed, shalbe let out by sufficient suretie, whereof the Sherife will be answerable, and that without giuing any part of their goods. W.1. 3.E.1.15. where mainprise is allowable.

3 If the Sherife or any other let one go at large by suretie, which is not repleuisable, if he be Sherife, Constable, or any other Baylife of fee, which hath the keeping of prisoners, and is thereof attainted, he shall lose his fee and office for euer: and if the Undersherife, Constable, or Bailife of such as haue fee for keeping of prisoners, doe it contrarie to the will of his maister, or any other Bailife, being not of fee, they shall haue three yeres imprisonment, and make fine at the Kings pleasure. W.1.3.E.1.15. Bailement by the Sherife of one not baileable.

4 If any Justices of peace doe let to baile or mainepryse any person, which for any offence by him committed, is declared not to be repleuisable or baileable, or forbidden to be repleuised by the foresaid Statute of 3.E.1. the said Justices so offending, shall pay such fines, as the Justices of Gaole Deliuerie of the Shire, Citie, or Towne where the offence shall bee committed (vpon due proofe thereof by examination before them) shall assesse: But the Justices of Peace, and Coroners within London and Middlesex, and in all other Cities, Boroughes, and Townes Corporat within this Realme and Wales, haue authoritie to let to bayle felons and prisoners, as they haue beene heretofore accustomed. 1.& 2.Ph.& Ma.13. And in like sort shall Sherifes, or any other be punished by the Justices of Gaole Deliuerie, according to the forme of the said Stat. of 3.Ed.1. which do let to baile or mainprise any persons forbidden to bee repleuised by the said statute. Statutum de Finibus &c. 27.E.3. Bailement by Justices of one not baileable.

5 The Marshals of the Kings Bench shall not baile any Felons, but shal kep them in prison, and shall not suffer them to goe wandring abroad, by bayle, nor without baile. And if any such prisoner be found wandring out of prison, by baile, or without baile, and that be proued at the Kings suit, or the parties: The Marshals which shall be found guiltie thereof, shall haue halfe a yeares imprisonment, and be ransomed at the Kings pleasure. And if the Marshals suffer the prisoner to escape by their assent, they shall be at the Law, as before time they haue beene. 5.Ed.3.8.

6 Whosoeuer doth withhold prisoners repleuisable after they haue offered sufficient suretie, shall pay a grieuous amerciament to the King, and he that doth take any reward for the deliuerance of such, shall pay double to the prisoner, and also a grieuous amerciament to the King. W.1. 3.E.1.15. withholding of prisoners repleuisable, or taking of reward to deliuer them.

1 For the bailement of prisoners by Iustices of peace, taking and certifying their examinations, and binding others to giue euidence against them. S. Iustices of peace 107.

2 Who may be let to baile or mainprise by any Sherife, and who not. S. Sherifs 8.

3 Where he shall be let to mainprise which is indicted of murder at the K. suit, and acquited. S. Murder 3.

4 Euerie Sherife in Wales may put suspected persons vnder common mainprise and what fee he shall take for the same. S. Wales 46.47.

5 They which be taken for Redisseisin be not repleuisable by a common writ. S. Redisseisin 3.

Mainte-

Maintenance, Champertie, Embracerie, and buying of tytles.

Maintenance by the Kings Officers.

IF any of the Kings Counſellors, Officers, or ſeruants, or any other perſon whatſoeuer, by ſending of letters, or otherwiſe do take or ſuſtaine any quarrell, by maintenance, in the countrey or elſewhere, they ſhalbe grieuouſly puniſhed in ſome enſuing, that is: The ſaid Counſellors and K. great officers, ſhall incurre ſuch paine, as ſhalbe aſſeſſed by the K. Maieſtie, by the aduice of the Lords of the Realme, And other leſſe officers, and ſeruants of the K. in the Exchequer and other Courts, and his ordinarie houſhold, ſhall loſe their offices and ſeruices, be impriſoned, and alſo pay a fine at the K. pleaſure after euerie of their degrées, eſtates, and deſerts, And all other perſons ſhall be impriſoned, and pay fines at the Kings pleaſure, 1. E. 3. 14. 1. R. 2. 5.

Clerkes taking preſentment, or part in quarrels.

2 If any Clerke of the Kings, or of any Juſtice, doe receiue the preſentment of any Church, for the which any plée or debate is in the Kings Court, without the Kings ſpeciall licence, he ſhall loſe the Church and his ſeruice. And if any Juſtice or Sherifes Clerke, take part in any quarrell or matter depending in the Kings Court, or doe worke any fraud, whereby common right may bée delayed, or diſturbed, hée ſhall loſe his ſeruice, and bee further puniſhed if the treſpaſſe doe require. Weſt. 1. 3. E. 1. 28.

Maintenance in inquirie of Riots.

3 If any Riot, Rout, or vnlawfull aſſemblie bée committed, and the Juſtices of Peace, or two of them do thereof make enquirie, according to the ſtatute, for that cauſe prouided, 13. H. 4. and the ſaid Riot &c. is not found by the Jurie, by reaſon of any embracerie or maintenance of the ſaid Jurors, then euery perſon duly proued to be a maintainor or embracer of the ſame, ſhall forf. to the King xx. l. and be committed to ward, there to remaine by diſcretion of the Juſtices. 19. H. 7. 13. S. Riots 15.

Maintenance of ſuits.

4 No perſon or perſons whatſoeuer ſhall vnlawfully maintaine, or cauſe, or procure any vnlawfull maintenance in any action, ſuit, demaund, or complaint in any of the Kings Courts of the Chauncerie, Starre Chamber, White Hall, or elſewhere within any of the Kings Dominions of England, or Wales, or the Marches of the ſame, where any perſon or perſons haue authoritie by vertue of the Kings Commiſſion, Patent, or Writ, to hold plée of land, or examine, heare or determine, any title of lands, or any matter of witneſſe concerning the title, right or intereſt of any lands, tenements, or hereditaments, Or ſhall vnlawfully retaine for maintenance of any Suit or Plée, any perſon or perſons, or embrace any freeholders or Jurors, or ſuborne any witneſſes by letters, rewards, promiſe, or by any other ſiniſter labour or meanes, for to maintaine any matter or cauſe, or to the diſturbance or hindrance of Juſtice, or to the procurement or occaſion of any manner of periurie, by falſe verdict, or otherwiſe, in any of the Courts aforeſaid, vpon paine of forfeiture for euerie ſuch offence x. pounds to the King and Jn. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. if the ſuit be commenced in any of the K. Courts, within one yeare next after any ſuch offence committed, or elſe not. 32. H. 8. 9. S. Periurie 1. &c.

Embrace Jurors. Suborne witneſſes.

Champertie.

5 No Officer of the Kings, nor other perſon whatſoeuer, ſhal take vpon him to maintaine any matter depending in ſuit, to haue part of the thing in plée, or other profit, Weſtminſt. 1. 3. Ed. 1. 25. Neither ſhall any perſon vpon ſuch conſideration, or couenant, depart with his right to another, and if any doe, and thereof be attainted, the taker ſhall forfeit to the king ſo much of his land and goods as the value of the thing in ſuch ſort taken for maintenance doth amount vnto. And whoſoeuer will, ſhall bée receiued to ſue for the king before the ſame Juſtices, before whom

whom the ſuit was depending, and by them the iudgement ſhall bée giuen: but a man may take the counſell of thoſe that be pleaders of the law, and learned men for his ſée, or of his next friends, Weſt. 2. 13. Ed. 1. 49. 28. Ed. 1. 11. And if any perſon do take vpon him for maintenance, champertie, or the like bargaine, any manner of ſuit or plée againſt another, and is attainted of ſuch aſſumption, ſuit, or bargaine, or of conſent thereto, he ſhall be thrée yeres impriſoned and further puniſhed at the K. pleaſure. 33. Ed. 1. The puniſhment of champertors.

6 Champertors be they that moue plées and ſuits, or cauſe to be moued, either by their owne or others procurement, and ſue them at their own coſts, to haue part of the lands or gaines in variance. 33. Ed. 1. An Embraceor is he which commeth to the barre with the partie, and ſpeaketh in the matter, and is there to ſuruey the Iurie. Champertors. Embraceor.

7 No perſon nor perſons ſhall bargaine, buy or ſell, or by meanes obtaine, get, or haue any pretenſed rights or titles, or take promiſe, graunt, or couenant to haue any right or title, of any perſon or perſons, in or to any Manors, lands, tenements, or other hereditaments, but if ſuch perſon or perſons which ſhall ſo bargaine, giue, grant, couenant, or promiſe the ſame, their auncеſtors, or they by whom he or they claime the ſame, haue bene in poſſeſſion of the ſame, or of the reuerſion or remainder thereof, or taken the rents, or profits thereof, by the ſpace of one whole yeare next before the ſaid bargaine, couenant, grant, or promiſe made, vpon paine that he that ſhall make any ſuch bargaine, ſale, promiſe, couenant, or grant, ſhall forfeit the whole value of the lands, tenements, or hereditaments ſo bargained, ſold, promiſed, couenanted, or granted, contrarie to the forme of this Act. And the buyer or taker thereof knowing the ſame, ſhal alſo forf. the whole value of the ſaid lands, &c. ſo by him bought or taken as is aboueſaid, to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. I. &c. if the ſuit be commenced in any of the K. Courts within one yeare after the offence committed, or elſe not. 32. H. 8. 9. Buying of titles.

8 But it is lawfull to any perſon being in lawfull poſſ. by taking of the yearely farme, rents, or profits of any Manors, lands, tenements, or hereditaments, to buy, obtaine, get, or haue by any reaſonable meanes the pretenced right or title of any other perſon or perſons to be made to, of, or in ſuch lands, &c. whereof he ſhall ſo be in lawfull poſſeſſion. 32. H. 8. 9. Purchaſing of pretenced title.

9 The Iuſtices of Aſſiſe of euerie circuit within this Realme, and elſewhere within the K. Dominions, ſhall in euerie Countie within their circuits, two times in the yeare, viz. in the time of their ſittings for taking of Aſſiſes, or deliuerie of the Gaoles, cauſe open Proclamation to be made, as well of this preſent Act, and euerie thing therein contained, as alſo of all other Statutes heretofore made againſt vnlawfull Maintenance, Champertie, Embracerie, or vnlawfull Retainors, To the intent that no perſon hearing the ſame ſhould be ignorant or miſcogniſant of the damages, and penalties therein contained. 32. H. 8. 9. Proclamation of the ſtat. of Maintenance, &c.

1 For the puniſhment of Embraceors. S. Iurors 5. 6.

2 For giuing or receiuing of Liueries for maintenance. S. Liueries 1. 2.

3 Who may vſe any actions, or purſue vpon the Stat. prouided againſt Maintenance, Champertie, Embracerie, &c. S. Actions popular 6.

4 The puniſhment of Forcible entries by way of Maintenance. S. Force 6.

5 The Iuſtices of both Benches, Aſſiſe, and Niſi prius, ſhall heare and determine Maintenance, Champertie, &c. 4. E. 3. 11. 20. E. 3. 6.

Marchants and Marchandiſes.

ALl Marchants (vnleſſe they were openly prohibited before) ſhall haue their ſafe and ſure conduct to depart forth of England, and to come into England, Marchants ſhal haue ſafe conducts.

and to tarrie, and go through England, as well by land as by water, to buy or ſell, without any maner of euill tols, according to the auntient and lawfull cuſtomes, ſauing in time of warre. And if they be of a countrey in warre with vs, and be ſo proued in our Realme in the beginning of the warre, they ſhall be attached without hurt of their bodie or goods, vntil it be knowne to vs, or our chiefe Iuſtice, how the Marchants of our land be vſed in that countrey wherewith wee are in warre: And if our Marchants be well vſed there, theirs ſhalbe ſo likewiſe with vs, Magna charta 9. H. 3. 30. All Marchants, Strangers and Denizens, and all other that wil buy or ſell corne, wines, Auer de pois, flesh, fiſh, and all other liuings and victuale, wools, clothes, & all other things vendible, from whence ſoeuer they come, at what place ſoeuer it be, Citie, Borough, Towne, Port of the Sea, Faire, Market, or elſwhere within the Realme, within Franchiſe or without, may freely ſell them to what perſon it ſhall pleaſe them, as well forreins as denizens, in groſſe, at retaile, or by parcels, at their wils, to all people that will buy the ſame (except to the enemies of the King and his Realme) notwithſtanding any Charter, vſage, cuſtome, or iudgement. And if any diſturbance be done to any Marchant ſtranger or Denizen, or to any other for the ſale of ſuch things in any Citie, Borough, Towne, Port of the Sea, or other place which hath franchiſe, and the Maiors and Bailifs, or other which haue the rule of ſuch franchiſe, beeing required by the ſaid Marchants, or other thereof to prouide remedie, and do not, and thereof be attainted, the franchiſe ſhall be ſeiſed into the K. hands, and neuertheleſſe, they which haue done this diſturbance, ſhal reſtore to the ſaid marchant his double damages which he hath thereby ſuſtained. And if ſuch diſturbance or interruption be done in ſuch places or Townes where no Franchiſe is, and the Lord (if hee bee preſent) or his Bailife, Conſtable, or other Ruler of the ſaid Townes and places (in the abſence of the ſaid Lord) being therein required to doe right, and doe not, and thereof bee attainted, they ſhall yeld to the plaintife his double dammages as aforeſaid, and the diſturbers in the one caſe and in the other, as well within the Franchiſes as without, if they be attainted, ſhall haue one yeares impriſonment, and bee ranſomed at the kings pleaſure. No Alien or Denizen, vpon the foreſaid paine, ſhalbe troubled, but he may freely buy ſuch things aforeſaid in the ſaid places, & carrie them where it pleaſeth him to his owne vſe, or to the profit of the king, or the Realme, ſauing that ſuch Marchants Aliens ſhall carrie no wine out of the ſame Realme. But no Marchant ſtranger ſhall alien, ſell at retaile, nor buy, nor make marchandiſe within the Realme with another ſtraunge Marchant Alien, to ſell againe, nor no marchant Alien ſhall ſell to retaile within the ſame Realme, nor ſhall put to ſale any maner of wares or marchandiſes, except liuings and victuals. And alſo all Aliens ſhall ſell Wines by whole veſſels, and Spicerie by whole veſſels, and bales, and in no other manner. And no manner of Spicerie after it is brought into the Realme, ſhall be carried out of the ſame by Alien or Denizen, vpon paine of forfeiture of the ſame. 9. Ed. 3. 1. 25. Ed. 3. 2. 11. R. 2. 7. 19. R. 2. 1. 2. R. 2. 1. S. Aliens 1. Victuals 1. 2.

Marchant ſtrangers may buy and ſell within this Realme, without interruption.

One ſtranger ſhall not marchandiſe with another.

Wines.

Spices.

2 If any Maior, Sherife, Bailife, or other Officer in any Citie, Borough, or Towne, within this Realme, do diſtraine, take, or leuie, any cuſtome called Scauage or Shewage of any Marchant Denizen, or of any other the Kings ſubiects Denizens, for any marchandize, to the king before truly cuſtomed, that is brought by land or by water, to be vttered in any Citie, Borough, or Towne in this land: Or if any Maior, Sherife, Bayliſe, or other officer in any Citie, Borough, or Towne for non-paiment of the ſaid Scauage, let or diſturbe any Marchants, or any other perſons denizens, to ſell and to vtter their marchandiſe by them brought into any Citie, Borough, or Towne, then he which offendeth ſhall forf. for euerie offence xx. l. to the K. and the partie grieued, or any other that wil firſt ſue by action

No Scauage ſhalbe paid for Marchandiſe cuſtomed.

of

of debt in any ſhire, wherin no W. &c. E. P. &c. But the Maior, Sheriffes, & Cominaltie of London, and euerie of them, ſhall haue all ſuch ſummes of money for Scauage, of euerie perſon Denizens, as by right they ought. 19. H. 7. 8.

3 No perſon ſhal bring, or cauſe to be brought into this realm of England, frō the parts of beyond the ſeas, any girdles, harneis for girdles, rapiers, daggers, kniues, hilts, pummels, lockets, chapes, dagger blades, handles, ſcaberds, and ſheathes for kniues, ſaddles, horſe harneis, ſtirrups, bits, gloues, points, leather laces, or pinnes being readie made, or wrought in any parts of beyond the ſeas, to be ſold, bartred, or exchanged, within this realme of England or Wales, vpon paine to forfeit all ſuch wares ſo brought contrarie to the true meaning of this Act, in whoſe hands ſoeuer they, or any of thē ſhalbe found, or the verie value thereof, to the Q. & I. or him that will ſeiſe the ſame, or ſue therefore in any of the Q. courts of Record by A. or I. wherein no W. E. P. &c. 5. El. 7. 1. Ia. 25. to continue to the end of the firſt Seſſion of the next Parliament. Marchandiſe not lawfull to be brought into this realme

4 If any perſon do ſhip or conuey, or cauſe to be ſhipped &c. in or to any ſhip, boat, or veſſel, in or vpon the ſea, or in or vpon any hauen, creeke, riuer, or place within England or Wales, any maner of ſheep ſkins, woolfels, ſherelings, morlings, or the ſkins of any ſtag, hind, buck, doe, goat, fawne, or kid, or the pelts of any of thē, or the leather made of any of them (tawed leather made of ſheep ſkins only excepted, 8. El. 14.) to the intēt to tranſport the ſame beyond the ſea, there to be vttered by way of marchandize, or otherwiſe, he ſhal forfeit all ſuch ſkins or pelts, bought, laden, ſhipped or tranſported, or the value of thē, & alſo x.s. viij.d. for euery fel, pelt, ſkin, &c. bought, laden, ſhipped, or tranſported, to the Q. and I. to be rec. by A. I. &c. wherein no E. P. Iniunction, &c. But the marchants of the ſtaple, the marchants of New Caſtle vpon Tine, Hartilpole, and Berwike, their ſeruants, factors, and atturneies, may tranſport all ſuch lawfull wares as heretofore they lawfully might haue done. 5. Elizab. 22. Shipping of fels, ſkinnes, leather.

5 It ſhal not be lawful to or for any perſon or perſons whatſoeuer, to lade or put, or cauſe to be laden or put off or from any place on the land, into any ſhip or veſſell, to be tranſported into any forreine region, or lay on land, or take &c. out of any ſhip (being not in leake or wrack) any goods brought from any parts out of the Q. dominions, by way of marchandiſe (fiſh taken by the Q. ſubiects & ſalt excepted) but only in the day light, viz. from the 1. day of March, vntill the laſt of September, betwixt the ſun riſing & the ſun ſetting: And from the laſt of Sept. vntill the firſt of March, betwēn the houres of vij. in the morning, & iij. in the afternoon, and in and vpon ſome ſuch open place, key, or wharfe, as the Q. Maieſtie hath, or ſhall appoint, or where a cuſtomer, comptroller, & ſearcher (Hull only except) by the ſpace of tenne yeares, before the making of this Act (being 23. Ian. Añ Do. 1559) haue bēn reſident, vpon pain of forfeit of all ſuch goods or marchandiſe ſo laden, or diſcharged, contrarie to the true meaning of this Act, or the value thereof. 1. El. 11. 4. H. 4. 20. At what time and place marchandiſe ſhall be diſcharged.

6 If any Maſter, or other perſon taking charge of a Ship, Traier, or Veſſell, do receiue into his Ship, or lay on land out of his ſhip, any goods or marchandiſe (except before excepted) to be tranſported ouer or brought in from any place out of the Q. dominions, in any other place, or at any other houres, then is before limited, hee ſhall forfeit for euery offence a hundred pounds to the Q. and I. to be rec. &c. wherin no W. &c. E. P. P. &c. 1. Eliz. 11. At what time and place the maſter of a ſhip ſhall receiue or diſcharge his lading.

7 No Maſter, ſhipper, or other, taking charge of the voyage, ſhall receiue into his Ship any goods (except before excepted) to bee tranſported out of the Queenes dominions, before hee ſhall ſignifie to the Cuſtomer and Officer of the port where he ladeth, that hee intendeth to lade, and into what place hee intendeth to paſſe: Nor ſhall after his lading depart out of the Port where he ſhall lade, before he doe Shipper ſhall giue notice to the Cuſtomer of his departing.

ſignifie vnto the ſaid officers of his lading, and what perſons ſhal haue lading with him in his ſhip: And further do truely anſwer to ſuch queſtions as ſhall be miniſtred vnto him by the cuſtomer, or other officer, concerning the marchandiſe laden, being examined vpon his othe, or otherwiſe, vpon pain to forf. for euery default not truely aduertiſing, nor anſwering, C.L. to the Qu. and I. &c. wherein no Wl. &c. E. P. &c. 1. Eliz. 11.

The cuſtomer ſhal be aduertiſed of al marchandiſe brought in.

8 If any perſon taking charge of a ſhip wherin any Marchandiſe (except before excepted) ſhall bee brought from any parts out of the Quenes dominions, ſhal diſcharge into any Lighter, and lay on land, or procure or willingly ſuffer to bee diſcharged &c. any goods before he ſhall haue declared to the Cuſtomer, or other Officer of the port where he arriueth, the names of euerie of the Marchants or laders, and ſhall haue truely anſwered to ſuch queſtions concerning ſuch Marchandiſe as ſhall be to him miniſtred vpon his othe, or otherwiſe, by ſuch Cuſtomer or Officer, he ſhall forfeit for euerie ſuch default C.L. to the Qu. and I. wherein no Wl. &c. E. P. I. &c. 1. Eliz. 11.

Aliens ſhall imploy their money in this Realme.

9 Euerie Marchant alien, and euery victualer, or other ſtranger not being Denizen, which ſhall reſort into any place or Port of this Realme, or Wales, ſhal duly imploy all the money receiued by him in any Port of the ſame realm, or Wales, vpon the Marchandiſes or other commodities of this Realme (ſauing his reaſonable coſts by the ouerſight of the chiefe Gouernour of the place where hee ſhall arriue) or without fraud ſhall put the ſame in due paiment to the Kings people within the Realme: the ſame imploiment in paiment to be duely prooued by the ſtranger before his departing out of the ſame Port, by writing from the Marchant to whom the ſaid ſtranger hath paid his money, witnelling that hee hath ſo done, or elſe by ſuch proues as ſhall ſeeme reaſonable to the Cuſtomer or Comptroller of the ſame Port, and Maior, Bailife, or other chiefe Gouernor of any ſuch Citie, Borough, or Towne where ſuch Port ſhal be, vpon paine of forfeiture of al his goods, being within the Realme, and one yeare of impriſonment. 4. H. 4. 15. 17. Ed. 4. 1. 3. H. 7. 8. And Marchants Aliens ſhall find ſuretie in the Chaunceric euery compante of them for their Companie, that none ſhall carrie gold or ſiluer out of this Realme, againſt the Statutes therefore prouided, vpon paine of forf. of the ſame, or the value. 2. H. 6. 6. S. Money 3. Cuſtomes 9.

Marchants of Ireland, Jerneſey, and Garneſey.

10 Euerie Marchant of Ireland, Jerneſey, and Garneſey, that bringeth any Marchandiſe into this Realme, ſhall imploy the money receiued for the ſame (his reaſonable expences deducted) vpon the commodities of this Realme, or elſe without fraud ſhall put the ſame money in due paiment within this land (the ſaid imployment or paiment to be prooued as is aforeſaid) vpon pain of forf. of the value of the marchandiſe ſo brought into this Realme. 3. H. 7. 8.

None dwelling in the countrey ſhall ſell wares by retaile in a market townes

11 No perſon dwelling in the countrey any where within England, out of any Cities, Boroughes, Townes corporat, or Market townes, ſhall ſell, or cauſe to be ſold by retaile, any woollen cloth, linne cloth, Haberdaſh wares, Grocery wares, Mercerie wares, at, or within any the ſaid Cities, Boroughes, Townes corporat, or Market Townes, or within the Suburbes or Liberties thereof (except it be in open Faires) vpon paine to forf. for euerie time ſo offending vj. s. viij. d. and the whole wares ſo ſold &c. to the Qu. and I. which will ſeiſe and ſue for the ſame by A. I. B. P. &c. wherein no Wl. &c. E. P. &c. 1. & 2. P. & M. 7.

Countreymen may ſel wares in groſſe in market townes

12 This Act ſhall not be hurtfull to any perſons that bring any of the ſaid woollen cloth, linnen cloth, Haberdaſh, Grocerie, or Mercerie wares, to any of the ſayd Cities, Market townes, &c. to be ſold by whole ſale, in groſſe, and not by retaile, but euerie of them may lawfully ſel the ſame by whole ſale, in groſſe, and not by retail, as they might haue done before &c. 1. & 2. P. & M. 7.

13 This

13 This Act ſhall not extend to any perſons that dwell in the countrey out of any of the ſaid Cities, Boroughes, Townes corporat, or Market Townes, but euerie of them at any time when he ſhalbe free of any of the guilds, or liberties of any of the ſaid Cities or Market Townes, &c. and dwell within any of them, ſhal or may ſell, or cauſe to be ſold, any of the wares aforeſaid by retaile: Neither ſhal this Act be preiudiciall to the liberties and priuiledges of the Vniuerſities of Oxford and Cambridge, or either of them. 1. & 2. P. & M. 7.

when a countrey man is come to dwell in a Market towne, he may ſell by retaile.

Oxford. Cambridge.

14 It ſhall be lawful to all perſons to ſell, or cauſe to be ſold by retaile, or otherwiſe, all Linnen or Woollen cloth of their owne making, in euerie Citie, Borough, or Towne Corporat, and Market town, as freely as they might haue done before. 1. & 2. P. & M. 7.

Cloth of their owne making ſold by retaile.

15 It ſhall and may be lawfull for the Lord Chauncelor, or Lord Keper of the great Seale of England, for the time being, to award forth vnder the great ſeale of England, one generall or ſtanding Commiſſion, to be renewed yerely at the leaſt, and otherwiſe ſo oft as vnto the L. Chauncelor or L. Keper ſhall ſeeme good, for the hearing and determining of cauſes ariſing, and policies of aſſurances, ſuch as now are, or hereafter ſhalbe entered within the Office of Aſſurances, within the Citie of London, and whereof no ſuit ſhalbe depending, the laſt day of this Seſſion of Parliament, in any of her Maieſties Courts: Which Commiſſion ſhalbe directed vnto the Iudge of the Admiraltie for the time being, the Recorder of London for the time being, two Doctors of the Ciuill law, and two Common Lawyers, and eight graue and diſcreet Marchants, or to any fiue of them, which Commiſſioners or the greater part of them which ſhall ſit and meet, ſhall haue by vertue of this act, full power and authoritie to heare, examine, order, and decree, all and euerie ſuch cauſe and cauſes, concerning policies of Aſſurances, in a briefe & ſummarie courſe, as to their diſcretion ſhall ſeeme meet, without formalities of pleadings, or proceedings. 43 Eliz. 12.

Commiſſions touching policies of aſſurance among Marchants.

16 It ſhall be lawfull for the ſaid Commiſſioners, as well to warne any of the parties to come before them, as alſo to remaine vpon othe any witneſſe that ſhalbe produced, and to commit to priſon, without baile or mainprize, any perſon that ſhal wiltully contemne or diſobey their finall Orders or Decrees. And the ſaid Commiſſioners ſhall once euerie weeke at the leaſt meet, and ſit vpon the execution of the ſaid Commiſſion in the office of the aſſurances, or in ſome other conuenient publike place, by them to be aſſigned. And no perſon by vertue of this Act, may claime or exact any fee, for any matter or cauſe concerning the execution of the ſayd Commiſſion. 43. Eliz. 12.

The Commiſſioners authoritie.

17 If any perſon ſhall bee grieued, by ſentence or decree of the ſaid Commiſſioners, ſuch perſon ſo grieued, may at any time within two Monethes of the ſaid decree ſo made, exhibite his Bill into the Chauncerie, for the reeraminati-on of ſuch decree, So as euerie perſon complainant, before he ſhall exhibit any ſuch Bill, doe either execute and ſatiſfie the ſaid ſentence ſo awarded, or at the leaſt lay downe in Depoſito with the ſaid Commiſſioners, ſuch ſummes of money as hee ſhall bee awarded to pay, and vpon ſo doing the ſaid complainant ſhall bee enlarged of his impriſonment. And the Lord Chauncelor, or Lord Keper for the time being, ſhall haue full power and authoritie, by vertue of this Act, vpon euerie complaint made (in order as aforeſaid) to reuerſe, or affirme euerie ſuch ſentence or decree, according to equitie and conſcience. And the ſayd Lord Chauncelor, or L. Keper, in euerie ſuch ſuit brought before him as aforeſaid, by ſuch Aſſurers, and decreed againſt the ſaid Aſſurers, ſhall award double coſts to the partie aſſured. 43. Eliz. 12.

A remedie for the partie grieued.

18 No Commiſſioner ſhall intermeddle in the execution of any ſuch Commiſſion, in any cauſe or matter of aſſurance, where himſelfe ſhall be either a party

None of the parties ſhalbe a Commiſſioner.

Aſſurer, or aſſured, in the ſame aſſurance which is brought in queſtion. Nor any Commiſſioner (other then the ſaid Iudge of the Admiraltie, and the Recorder of London) ſhall deale or proceed in the execution of any ſuch Commiſſion, before hee haue taken his corporall oathe before the Lord Maior and Court of Aldermen of the Citie of London, to proceed vprightly and indifferently betweene partie and partie. 43. Eliz. 12.

All Marchants may trade into Spaine, &c.

19 Whereas diuers Marchants haue of late obtained from the king, vnder the great Seale of England, a large Charter of incorporation for them and their companie, to trade into the dominions of Spaine and Portugal, and are alſo moſt earneſt ſuitors to obtaine the like from his ſaid Maieſtie for Fraunce, whereby none but themſelues, and ſuch as they ſhall thinke fit, as being meere Marchants, ſhall take benefit of the ſaid Charter, diſabling thereby all others his Maieſties Subiects of this Realme of England and Wales: It ſhall and may be lawfull, to and for all his Maieſties Subiects of this his Realm of England & Wales, from henceforth at all times, to haue free libertie to trade into, and from the Dominions of Spaine, Portugall, and Fraunce, in ſuch ſort, and in as free manner as was at any time accuſtomed ſithence the beginning of this his raigne, in this his Realme of England, and at any time before the ſaid Charter of Incorporation was granted, paying to the King, his heires and ſucceſſors, all ſuch cuſtomes and other duties, as by the Lawes and Statutes of this Realme, ought to be paid and done for the ſame: The ſaid Charter of Incorporation, or any other Charter, Graunt, Act, or any thing elſe heretofore made or done, or hereafter to be done to the contrary in any wiſe notwithſtanding. Prouided alwayes, that this Act ſhall not be of force to enable or giue libertie to any perſon or perſons to go ouer Seas without licence, who by the Lawes and Statutes of this Realm, or by any Statute hereafter to be made, ſhall be reſtrained from going beyond the Seas without licence: Any thing to the contrarie notwithſtanding. 3. Iac. 6. The foreſaid generall Law of 3. Iac. 6. ſo made as is aforeſaid, neither doth, nor ſhall diſſolue, annihilat, or impeach the Charter (by which Queene Elizabeth by her Letters Patents, vnder the great Seale of England, bearing date the xvij. day of June, in the ſecond yeare of her raigne, did incorporat certaine Marchants therein named, and their ſucceſſors, being Citizens and inhabitants of the Citie and Countie of Exceſter, and did giue and grant vnto them the perpetuall name of the Gouernors, Conſuls, and Societie of the Marchants aduenturers of the Citie and Countie of Exceſter, trafficking into the Realme of Fraunce, and the Dominions of the French King) or the ſayd Companie in any their Priuiledges, Liberties, or Immunities, graunted vnto them by the ſaid Charter: Any thing in the foreſaid generall Act to the contrarie thereof in any wiſe notwithſtanding. 4. Iac. 9.

The Charter granted to the Citizens of Exceſter.

Dreſſing or tranſporting blacke Conie ſkinnes.

20 No perſon or perſons after the end of three Moneths next enſuing after the end of this Seſſion of Parliament, vſing the trade of Marchandiſe, or any other, ſhall dreſſe, or cauſe to be dreſſed in his or their houſe or houſes, or by any workman appointed by them for that purpoſe (thoſe workemen not being Artizan Skinners, and vſing the trade of Artizan Skinners) any of the blacke Conie ſkinnes of this kingdome, nor ſhall tranſport, or carrie beyond the Seas, nor cauſe to be tranſported or carried beyond the Seas, nor ſhall packe, ſhip, or lade, to the intent to tranſport or carrie beyond the Seas any blacke Conie ſkinnes of the breed of this Realme, vnleſſe the ſame ſkinnes ſhall firſt bee tawed, and duely and perfectly wrought, dreſſed, and packed within this Realm, by thoſe that are Artizan Skinners, or Tawers vnder the ſaid Artizan Skinners, according to the Science, Art, and Faculties of the Artizan Skinners, vpon paine of forfeiture of ſuch ſkinnes ſo packed, ſhipped, laden, and tranſported, contrarie to this Act, or the iuſt or full value thereof. 3. Iac. 9.

21 No perſon or perſons vſing or exerciſing the trade of a Marchant ſhall after the end of the ſaid three Moneths next enſuing after the end of this Seſſion of Parliament, buy, bargaine, or contract, or cauſe to be bought, bargained, or contracted for, any Cony ſkinnes, or Lambe ſkinnes, commonly called Worſkins, of the breed of this Realme, or being within this Realme, vnder the number of one thouſand blacke Cony ſkins, or three thouſand gray Conie ſkinnes, or two thouſand Lamb ſkinnes, called Worſkins, at a time, and thoſe not to be bought, or contracted for, in, or by parcels, but to be contracted for, bargained, and deliuered at one time intirely together, and not by parcels (except it be of the artizan ſkinners) nor ſhall vtter or ſell the ſame againe, nor any part thereof to any perſon or perſons within this Realme, in ſmall parcels, viz. vnder the number of one thouſand blacke Cony ſkins, and 3000. of gray Cony ſkins, and 2000. of Worſkins at a time, vnleſſe it be to the artizan ſkinner, vpō paine of forfeiture of the ſaid ſkins, or the full value of the ſame. 3. Iac. 9. Marchants buying of Cony or Lambe ſkinnes.

22 After the end of the ſaid three Moneths, next enſuing after the end of this Seſſion of Parliament, no perſon or perſons ſhall take, retaine, or keep any Seruant, Journeyman, or Apprentice, to ſerue or worke with him therein, except the ſaid perſon ſo vſing or ſetting vp the ſaid Trade, Myſterie, or Occupation, haue ſerued ſeauen yeares at the leaſt as an apprentice therein, and doe vſe the trade & handy craft of a ſkinner, vpon paine of forfeit of the double value of all ſuch ſkinnes or furres, as ſhall be dreſſed or wrought by ſuch perſon or perſons, his or their ſeruants, Journeymen, or apprentices, contrarie to the intent of this Act. 3. Iac. 9. Skinners Apprentice.

23 All forfeitures and penalties, which by force of this Act ſhall ariſe or grow, ſhall be diuided & diſtributed in manner and forme following, viz. The one moitie of the ſaid penalties and forfeitures aforementioned, ſhall be to the King his heires and ſucceſſors, and the other moitie thereof to ſuch perſon or perſons, as ſhall ſeize the ſaid ſkinnes or furres ſo forfeited, or ſhall ſue for the ſame penalties and forfeitures by A. B. P. or I. in any Court of Record, wherein no E. P. W. &c. 3. Iac. 9. To endure vntill the end of the firſt Seſſion of the next Parliament. The forfeitures.

1 In what ſort Marchants and Handycrafts men ſhall pay their Tythes, S. Tythes 30.

Mariners and Souldiers.

IF any Souldier, Mariner, or gunner, which taketh any preſt or wages, to ſerue the Queen her heires or ſucceſſors, doth not goe with, or doth depart from his Captaine within his terme, for the which the Captain hath retained him (except ſome impediment by the viſitation of God ſuffer him not to goe) which he ſhall certifie immediately to his Captaine, and repay his preſt money, or except he doe obtaine licence of his captaine vnder his ſeale, it is felonie, and he ſhal be puniſhed as a felon. 18. H. 6. 19 5. El. 5. S. Felonie 23. Mariner departing from his Captaine.

2 No Mariner or Fiſherman haunting the ſea as a Mariner, or Fiſherman, ſhall be compelled againſt his will to ſerue as a Souldier vpon the land or ſea, otherwiſe than as a Mariner, except it ſhall be vnder any Captaine of ſome ſhip or veſſel for landing to doe ſome exploit, which Mariners haue vſed to doe, or vnder any other perſon hauing authoritie to withſtand inuaſion of enemies, or to ſubdue any rebellion within the Realme. And alſo except all ſuch perſons, as by tenure, lawfull cuſtome, or couenant be bound to ſerue. 5. El. 5. Mariner or fiſherman ſhall not ſerue as a Souldier.

3 No Fiſherman, vſing or haunting the Sea, ſhall be taken by the Queenes Commiſſion to ſerue her Highneſſe as a Mariner on the Sea, but the ſaid Commiſſion By what meanes fiſhermen ſhall be taken to ſerue as Mariners.

miſſion ſhall be firſt brought by the Quenes taker to two Juſtices of Peace, nert adioyning and inhabiting to the ſaid Sea coaſts, Townes, or other places where the ſaid Mariners are ſo to be taken, to the intent the ſaid Juſtices may chooſe out, and cauſe to be returned ſuch ſufficient number of able men, as in the ſaid Commiſſion ſhall be contained to ſerue her Maieſtie. 5. El. 5. 1. Iac. 25. To continue till the end of the firſt Seſſion of the nert Parliament.

Wandring Souldiers & Mariners ſhall ſettle themſelues to worke.

4 All idle and wandring Souldiers or Mariners, or idle perſons, which now are, or hereafter ſhall be wandring, as Souldiers or Mariners, ſhall ſettle themſelues in ſome ſeruice, labour, or other lawfull courſe of life, without wandring, or otherwiſe repaire to the places where they were borne, or to their dwelling places, if they haue any, and there remain, betaking themſelues to ſome lawful trade or courſe of life, as aforeſaid, vpon paine, that all perſons offending contrarie to this Act, to be reputed as Felons, and to ſuffer as in caſe of Felonie, without any benefit of Clergie to be allowed. 39. El. 17.

Felonie.

Wandring Souldiers & Mariners ſhal haue Teſtimonials.

5 And euery idle and wandring Souldier or Mariner, which comming from his Captaine from the Seas, or from beyond the Seas, ſhall not haue a teſtimoniall vnder the hand of ſome one Juſtice of Peace, of, or nære the place where hee landed, ſetting downe therein the place and time, where, and when he landed, and the place of his dwelling or birth, vnto which he is to paſſe, as aforeſaid, and a conuenient time therein limited for his paſſage, or hauing ſuch teſtimoniall, ſhal wilfully exceed the time therein limited, aboue 14. daies: And alſo as well euery ſuch idle and wandring Souldier or Mariner, as euery other idle perſon wandring, as Souldier or Mariner, which ſhall at any time hereafter forge or counterfeit any ſuch Teſtimoniall, or haue with him or them any ſuch Teſtimoniall forged, or counterfeited, as aforeſaid, knowing the ſame to be counterfeited, or forged, in all theſe caſes euery ſuch act or acts to be felonie, and the offendors to ſuffer as aforeſaid, without any benefit of Clergie. 39. El. 17.

Counterfeit teſtimoniall.

Ju. of Aſſiſe, gaole deliuerie, & peace, may heare, and determine theſe offences.

6 It ſhall and may be lawfull for the Juſtices of Aſſiſes, Juſtices of Gaole deliuerie, and Juſtices of Peace of euery Countie, and for all Juſtices of Peace in Townes corporate, hauing authoritie to heare and determine felonies, to heare and determine all ſuch offences in their generall Seſſions, and to execute the offendors which ſhall be conuicted before them, as in caſes of felonie is accuſtomed: Except ſome honeſt perſon valued at the laſt ſubſidie nert before the time, to x. li. in goods, or xl. ſhillings in lands, or elſe ſome honeſt Freholder, as by the ſaid Juſtices ſhall be allowed, will be contented before ſuch Juſtices as ſuch perſon ſhall be arraigned of felonie, to take him or them into his ſeruice for one whole yeare then nert following, and then before the ſaid Juſtices will be bound by Recogniſance of x. pounds, to be leuied of his lands, goods, tenements, and chattels, to the vſe of our ſoueraigne Lady the Quene, if he keepe not the ſaid perſon or perſons for one whole yeare, and bring him to the nert Seſſions for the peace and gaole deliuerie nert enſuing after the ſaid yeare. And if any ſuch perſon retained depart within the yeare, without the licence of him that ſo retained him, then to be indicted, tried, and adiudged as a felon, and not to haue the benefit of the Clergie. 39. Eliz. 17.

Taking the offendor into ſeruice for a yeare.

The idle wãderer falling ſicke by the way.

7 Prouided alwaies, that if any ſuch idle and wandring perſons as aforeſaid, ſhall happen to fall ſicke by the way, ſo that by reaſon of his weakneſſe he cannot trauell to his iourneys end within the time limited within this teſtimoniall, no ſuch to be within the danger of this Statute, ſo as he ſettle himſelfe in ſome lawfull courſe of life, as aforeſaid, or repaire as aforeſaid to the place where hee was borne, or was laſt abiding, within conuenient time after the recouerie of his ſickneſſe, and there remaine as aforeſaid: Any thing &c. notwithſtanding. 39. Elizab. 17.

8 Prouided

8 Prouided also, that when any such Souldier or Mariner, comming from ẏ seas, or from beyond the Seas, as aforesaid, shall repaire to the place of his dwelling or birth, according to the purport of the said Testimoniall, and cannot of himselfe there get any worke, whereby to imploy himselfe to labour, or other lawfull course of life, as aforesaid: That then in all such cases, vpon complaint made by such Souldier or Mariner to two Iustices of Peace of the said Countie, of, or nære the said place, the said two Iustices shall take order by their discretion, to set such Souldier or Mariner to some such honest labour, or worke, as to them shalbe thought mæt: And for want of such work, the said two Iustices shall tare ẏ whole Hundred, by their discretions, for the releefe of such Souldier or Mariner, till such sufficient worke may be had. 39. El. 17.

A remedie where the wanderer cannot get worke

The Hundred taxed for the releefe of a souldier or mariner.

9 Prouided also, that if any such Souldier or Mariner, comming frō the seas, or from beyond the Seas, as aforesaid, shall not at the time of his landing, or in his trauell to the place, whereunto he is to repaire, as aforesaid, going the direct way,* that then he resort to some Iustice of Peace, next adioyning to ẏ said place of landing, or way, and make knowne vnto the said Iustice his pouertie: Who vpon perfect notice thereof had, shall haue full power and authoritie, by this present Act, to licence the same Souldier or Mariner to passe the next and direct way to the place where he is to repaire, and to limit him so much time onely, as shall be necessarie for his trauaile thither: And that in such case his licence bæing so made, and he pursuing the forme of such his licence, shall and may for his necessarie releefe in his such trauell, aske and take the releefe that any person shall willingly giue him, and in such case, his such trauaile and taking of almes, as aforesaid, shall not be taken an offence against the law. 39. El. 17.

**See the Parliament Roll.*

The souldier or Mariner licenced may aske and take releefe.

10 Prouided also, that this Act, nor any thing therein contained, shal extend or be interpreted to make or worke any corruption of blood in any the heires, or heire, of any such offendor or offendors: any thing in this Act to the contrarie notwithstanding. 39. El. 17. 1. Iac. 25. To continue to the end of the first Session of ẏ next Parliament.

No corruptiō of blood.

1 For the Mariners forfeiture for transporting Corne, Beere, Butter, cheese, &c. S. Corne 1.

2 For the Mariners forf. for the transporting of Leather. S. Leather 33.

3 A prouision for the releefe of Mariners & Souldiers. S. Captaines 17. &c.

4 For the punishment of Watermen which hide themselues in the time of pressing. S. Boatmen 6.

5 For Sea markes, S. 8. Eliz. 13.

Marshall, Marshalsie.

The Steward and Marshals shall not hold plea of freehold, nor of debt, couenant, nor any contract made betweene any of the Kings people, but onely of trespasse done within the Kings house, or other trespasse done within the verge, and of such contracts, and couenants, that one of the Kings house maketh with an other within the same house, and not elsewhere, and they shall plead no plea of trespasse, except the partie were attached by them, before the King depart from ẏ verge where the trespasse was committed, and they shall plead them speedily from day to day, so that they may be pleaded & determined before the King depart out of the limits of the same verge, where the trespasse was committed. And if they cannot be determined within the limits of the said verge, the pleas shall cease before the Steward, and be determined at the Common Law. The Steward shall not take cognisance of debts, nor of other things, but of such persons onely which be of the K. house, nor shall hold any other plea by obligation made by a distresse taken

Of what things the Marshall of the kings house shall hold plea.

Cognisance of debts.

taken by the Steward, or Marſhall. And if they attempt any thing contrarie to any part of this ſtatute, it is void. 28. Ed. 1. 3. Articuli ſuper chartas.

The def. ſhall not be eſtopped by the plaintifes declaration.

2 If any plee of debt, detinue, or other plee perſonall be commenced betwixt any perſons being not of the Kings houſe, though the Record doe make mention that the plaintife & defendant in the ſame plee be of the Kings houſe, yet the defendant ſhall not be eſtopped by ſuch record, but may haue his auerrement, that he himſelfe, or the ſaid plaintife were not of the Kings houſe at the time of the ſaid plee or ſuit commenced. 15. H. 6. 1.

During the Kings abode the Marſhall may keepe his Court. The verge xij. miles.

3 In all places where the King in his owne perſon ſhall come to reſt, abide, or make repoſe, there within the verge limited to his Graces Court, (which ſhal not paſſe the ſpace of twelue miles, to be accounted for his lodging. 13. R. 2. 3.) His Steward, Marſhall, Corroner, & all other Officers may keepe their Courts for Juſtice, and execute their Offices which ſhall appertaine vnto them, according to the Lawes, cuſtomes, and ſtatutes of this Realme, as well within liberties as without, during the time of the Kings abode: any priuiledge or graunt notwithſtanding. 27. H. 8. 25.

Enqueſts in the Marſhals Court.

4 In enery caſe where Enqueſts be to be taken before the Steward & Marſhall of the K. houſe, ſuch Enqueſts ſhall be taken by men of the Countrey thereabout, and not by any of the Kings houſe, except it be of contracts, couenants, or treſpaſſes made by ſuch whereof the one part and the other is of the K. houſe, and that in the ſame houſe. 5. E. 3. 2. 10. E. 3. 3. S. Triall 4. 5.

Error in the Marſhals court ſhall be reuerſed in the K. bench.

5 If any will complaine of Error made before the Steward and Marſhall of the Kings houſe, he ſhall haue a writ to remoue the record and the proces into the Kings Bench, and there the Error ſhall bee reuerſed. 5. Edward. 3. 2. 10. Ed. 3. 3.

The Marſhals fees.

6 The Marſhall of the Marſhalſie of the Kings houſe may take the fees hereafter following in open Court: that is, of euery perſon which commeth by Capias to the ſaid Court iij. d. and if he be let to mainprize vntill his day two pence more. And of euery perſon beeing defendant which is impleaded of treſpaſſe, and findeth two mainpernors to keepe his day vntill the end of the plee two pence. And of euery perſon committed to priſon by iudgement of the Steward, in whatſoeuer maner the ſame be iij. pence. And of euery perſon deliuered of felonie iij. pence. And of euery felon let to mainprize by the Court iij. d. But if the Marſhall, or any his Officers vnder him, do take any other fees than are before declared, the ſaid Marſhall, and euery of his officers ſhall loſe their offices, and alſo ſhall pay to the partie grieued treble damages, for the which the ſaid partie ſhall haue his ſuit before the Steward of the ſaid Court, for the time being. A ſeruiter of Billes, which beareth a ſtaffe of the ſame Court, ſhall take for euery Mile from the ſame Court, vntill the ſame place where he ſhall doe his ſeruice a penie, and for xij. miles xij. d. and to ſerue a Venire facias, or a Diſtringas out of the ſame Court, the double. And if any ſeruiter of billes doe the contrarie, he ſhall be impriſoned, and make fine to the K. after the diſcretion of the Steward of the ſame Court, and alſo be forejudged and baniſhed the ſame Court. All which articles the Steward at his comming into the Countrey, hath authoritie to proclaime and put in execution. 2. H. 4. 23. And Prieſts, and other Eccleſiaſticall perſons taken in the Marſhalſey of the Kings houſe, ſhall pay ſuch fees, as lay people ſhall reaſonably paie, and no more. 9. R. 2. 5.

Seruiter of Billes.

Eccleſiaſtical perſons.

Steward of the Marſhalſie.

7 The Steward of the Marſhalſey ſhall be for euer from time to time aſſigned by writing vnder the ſeale of the Lord Steward of the K. houſe for the time being. 33. H. 8. 12.

1 In what caſes the plaintife ſhall aunſwere damages in the Marſhalſey. S. Damages 2.

Maſons.

Masons.

Chapters and congregations of Masons shall not be from henceforth holden. And if any such be made, they that cause such Chapters and Congregations to be assembled and holden, if they thereof be conuict, shall be adiudged for felons. And all the other Masons, that come to such Chapters and Congregations be punished by imprisonment of their bodie, and make fine and raunsome at the Kings will. 3. H. 6. 1.

Matrimonie.

All persons be lawfull to contract Mariage, that be not prohibited by Gods law to marie, and no reseruation or prohibition (Gods law except) shall trouble or impeach any mariage without the Leuitical degrees. And no person of what estate, degree, or condition soeuer he or she be, shall be admitted in any of the Spirituall Courts within the Kings Realme, or any his Lands, and Dominions, to any proceese, plea, or allegation contrarie to this act. 32. Hen. 8. 38. 2. Ed. 6. 23. 1. El. 1.

2 All and euery Law and Lawes positiue, Canons, Constitutions, & ordinances, heretofore made by the authoritie of man onely, which doe prohibite, or forbid mariage to any Ecclesiasticall or Spirituall person or persons, of what estate, condition, or degree they be, or by what name or names soeuer they be called, which by Gods Law may lawfully marie, in all and euery article, branch, and sentence, concerning onely the prohibition for the mariage of the persons aforesaid shall bee vtterly voyd. And all manner of forfeitures, paines, and penalties, crimes, or actions which were in the said Lawes contained, and of the same did follow, concerning the prohibition for the mariage of the persons aforesaid, shal be clerely void, and of none effect, to all intents, as well concerning mariage heretofore made by any of the Ecclesiasticall or Spirituall persons aforesaid, as also such which hereafter shall be duely and lawfully had, celebrate, and made, betwixt the persons which by the Lawes of God may lawfully marie. 2. & 3. Ed. 6. 12. *A Repeale of all Lawes made against the mariage of Priests.*

3 This Act shall not extend to giue any libertie to any person to marie without asking in the Church, or without any Ceremonie being appointed by the order set forth in the Booke intituled, The Booke of Common praier, and administration of the Sacraments. 2. & 3. Ed. 6. 21. *Asking in the Church.*

4 This Act shall not extend to alter, reuoke, repeale, or otherwise to disanull any decree, sentence, iudgement, or diuorce heretofore had, or made, but all and euery such decree, iudgement, sentence, and diuorce, shal remaine and be of like force, effect, & degree, to all intents and purposes, as they were in before the making of this Act, and as though this Act had neuer beene. 2. & 3. E. 6. 21. 1. Iac. 25. *Former decrees or diuorces.*

5 The Matrimonie of all and euery Priest & other Ecclesiasticall & Spirituall persons, & person heretofore had, celebrated, and made, & the matrimony of euery Priest, & other Ecclesiasticall person, which shall hereafter be duely had, celebrated, & made, shall be adiudged & taken for true, iust, and lawfull matrimonie, to all intents and purposes. And all and euery Childzen, & Child borne in any such matrimonie, shall be reputed & taken to all intents & purposes to be borne in lawfull matrimonie, and to be legitimat, & inheritable to lands, tenements, & other hereditaments, from, & by any of their Fathers, mothers, and other auncestors, in like maner & forme to all intents, as any other childzen borne in lawfull matrimonie betwixt any of the Kings lay subiects be inheritable. And as well all and euery Priest, & other Ecclesiasticall & Spiritual person, & persons, be, and shalbe enabled *The mariage of Priests lawfull.*

to

to be tenants by the Curteſie, after the death of their wiues, of ſuch lands, tenements, and other hereditaments, as their wiues ſhall happen to be ſeized of, of eſtate in fée ſimple, or eſtate in fée taile generall, during the eſpouſailes: As alſo euery wife of euery ſuch Prieſt, and other Eccleſiaſticall perſon, ſhalbe enabled to claime, demand, haue, & enioy Dower of the lands, tenements, & other hereditaments, whereof her huſband during the eſpouſailes betwéene them, was ſeiſed of eſtate in fée ſimple, or fée taile generall in his owne right, in like maner & forme, to all intents, as any other huſband, or wife, may or ought claime, demand, haue or enioy: Any law, ſtatute, canon, cuſtom, &c. made to the contrary notwithſtanding.

Prieſts children legitimat

5. & 6. Ed. 6. 12. The children of Eccleſiaſticall perſons in the aforeſaid Act mentioned ſhall be and continue legitimat, and inheritable to all intents and purpoſes, as children of Laie perſons do inioy & may inherite: Any canon or conſtitution to the contrarie notwithſtanding. 1. Iac. 25.

Aſking in the Church.

6 But this Act ſhall not extend to giue libertie to any perſon to marie, without aſking in the Church, or without the ceremonies, according to the Booke of Common prayer, & adminiſtration of the Sacraments, nor ſhal make any ſuch mariage already made, or hereafter to be made, good, whichare prohibited by the Law of God, for any other cauſe. 5. & 6. Ed. 6. 12.

7 This Act ſhal not extend to alter, change, reuoke, repeale, or otherwiſe to diſanull any decrée, iudgement, or ſentence of diuorce heretofore had, or made: Or to change, or alter the poſſeſſion, or inheritance of any lands or tenements alreadie diſcended, but they and euery of them ſhall remaine and continue of ſuch like force and degrée, to all intents, as they were before the making of this act. 5. & 6. Ed. 6. 12. 1. Iac. 25.

There ſhal be no mariage vntill the former huſband or wife be dead.

8 If any perſon or perſons within his Ma. dominions of England & Wales being maried, or which hereafter ſhall marie, doe marie any perſon or perſons, the former huſband or wife being aliue, Then euery ſuch offence ſhall be felonie, and the perſon and perſons ſo offending ſhall ſuffer death, as in caſes of felonie: And ye partis & parties ſo offending ſhall receiue ſuch and the like proceédings, triall, and execution in ſuch countie where ſuch perſon or perſons ſhall be apprehended, as if the offence had béene committed in ſuch countie where ſuch perſon or perſons ſhall be taken or apprehended. 1. Iac. 11.

Quære.

9 Prouided alwaies, that this Act ſhall not extend to any perſon or perſons whoſe huſband or wife ſhall be continually remaining beyond the Seas by the ſpace of vij. yeares together, or whoſe huſband or wife ſhall abſent him or her ſelfe then one from the other, by the ſpace of ſeauen yeares together in any parts within his Ma. Dominions, the one of them not knowing the other to be liuing within that time: Neither ſhall extend to any perſon or perſons that are or ſhall be at the time of ſuch mariage diuorced by any ſentence, had, or hereafter to be had in the Eccleſiaſticall Court, or to any perſon or perſons, where the former mariage hath béene, or hereafter ſhall be by ſentence in the Eccleſiaſticall Court declared to be void, and of no effect: Nor to any perſon or perſons, for or by reaſon of any former maryage had or made, or hereafter to be had or made within age of conſent. 1. Iac. 11.

10 Prouided alſo, that no attainder for this offence made Felonie by this Act, ſhall worke any corruption of blood, loſſe of dower, or diſheriſon of heire or heires. 1. Iac. 11.

1 Doctors of the Ciuill Law being maried, may exerciſe Eccleſiaſticall Iuriſdiction. S. Eccleſiaſticall &c. 44.

Mault

Mault.

NO person or persons shall make any Barley Mault (the moneths of June, July, and August onely except) but the same shall haue in making thereof, that is to say, in the fat, flower, steeping, & sufficient drying of the said Mault, three weekes at the least. And no person or persons, at any time within the said months of June, July, and August, shall make any Barley mault, except the same haue in the fat, flower, steeping, & sufficiēt drying, the time & space of xvij. daies at ỳ least: Under and without which time & times, the said Mault cannot be well & perfectly made, nor wholesome for mans bodie: vpon paine to forfeit for euery Quarter of Mault, which shall be made by any person or persons, contrarie to the tenor, purport, and true meaning of this Act, y.s. to the K. and I. to be recouered by A. B. P. or I. wherein no W. E. P. or I. &c. 2. Ed. 6. 10.

How long Mault shall be in the fat, flower, steeping, and drying.

2 No person or persons, shall mingle or put together any Mault, not being well and sufficiently made, or being made of Mowburnt or spired Barley, with other good Mault, and after put the same so mingled to sale, vpon paine to forf. for euery Quarter so mingled and put to sale, y. s. to the K. and I. to be recouered by A. B. P. or I. wherein no W. E. P. or I. &c. 2. Ed. 6. 10.

None shall mingle good Mault with euill.

3 If any person or persons, shall put to sale any Mault, which shall not be sufficiently and well trodden, rubbed, and well fanned, whereby there may be conueniently fanned out of one Quarter thereof, halfe a pecke of dust, or more: then the person so putting the same to sale, shall forfeit for euery quarter so put to sale xx. s. to the K. and I. to be recouered by A. B. P. or I. wherein no W. E. P. or I. &c. 2. Ed. 6. 10. 17. R. 2. 4.

Mault shal be well trodden, rubbed, and fanned.

4 The Iust. of P. in euery their Sessions, & also the Stewards in euery Leete, shall haue full power and authoritie, by vertue of this act, to enquire, heare, and determine, as well by presentment of iij. men, as by accusation or information of two honest witnesses, of, for, & vpon all and euery the offences & forf. aforesaid, as well for the K. as the partie that shall sue prosecute, or cause the same to be presented, as is aforesaid. And the Bailifs and Constables of euery borough, or market towne, or other towne, where any such Mault shall be made, or put to sale, shall haue full power and authoritie from time to time, to viewe, search, & surney al such mault as shall be made or put to sale, within any of the said townes. And if any of thē, shall thereupon find any mault so put to sale, being euil made, or mingled with euill mault, contrarie to the tenor and true meaning of this act: then the Bailife or Const. so finding any such Mault euill made or mingled, as aforesaid, with the aduise of one I. of P. within the same shire, shall cause the same to be sold to such person or persons, and at such reasonable price, or prices, and vnder the common price of the market, as to his discretion shall seeme necessarie and expedient. 2. Ed. 6. 10. S. Leetes 5. Iustices of Peace 30.

Iustices, Stewards, &c. shall punish offenders

5 This act, nor any thing therein contained, shall not extend to charge, or be, to the making of mault for any mans owne prouision, for his owne house or familie, neither preiudiciall to any person or persons, for, or concerning any the offences or forfeitures aforesaid: Except he or they so offending shal happen to be sued, presented, and accused for the same, in manner and forme aforesaid, within one yeare nert after any such offence or offences shall be done or committed: any thing &c. notwithstanding. 2. Ed. 6. 10. 1. Iacob. 25. To continue to the end of the first Session of the nert Parliament.

Mault made for a mans owne prouision.

6 From time to time, and at all times hereafter it shall and may be lawful for the Iustices of peace within this Realme in their open quarter Sessions, or the more part of them, by their discretions, to suppresse, discharge, or restraine the superfluous

Iust. of peace may restraine the number of Maulsters,

perfluous & vnneceſſarie number of Maulters in part, or in the whole: And alſo to reſtraine ſuch perſon and perſons, as to their diſcretions ſhall ſéeme méet, from the buying of Barley to conuert into Mault, in part, or in all, for ſuch time or times as to their diſcretions ſhall ſéeme méet. And if any perſon or perſons ſhall refuſe, diſobey, or not performe ſuch ſuppreſſing, diſcharging, or reſtraint, or any order whatſoeuer the ſaid Juſtices ſhall ſet downe touching the ſame: Then and ſo often ſuch perſon & perſons being thereof duely conuicted before the ſaid Juſtices, or any two of them, by the teſtimonie of two witneſſes, or by his owne confeſſion, ſhall be by the ſaid Juſtices committed to the common Gaole of the Countie, Citie, or corporate Towne, where the offence is committed, there to remaine without baile or mainprize, by the ſpace of three daies, and from thence vntill he ſhall be become bounden by Recognizance in the ſumme of xl.l. to be taken to the vſe of her Maieſtie, before any Juſt. of P. to ſtand to, performe, & obey ſuch ſuppreſſing diſcharging, or reſtraint taken by the ſaid Juſtices, as aforeſaid. 39. Eliz. 16.

Buying of Barley.

Cities, Boroughs, and townes corporat.

7 Prouided alwaies, that the ſaid Juſtices of Peace, within any Countie of this Realme, ſhall not intromit, or enter into any Citie, Borough, or Towne corporat, for execution of any article in this Act, except he be a Juſtice of peace alſo in the ſaid Citie, Borough, or Towne corporat, but that it ſhall be lawfull to the Juſt. of peace, Maiors, Bailifes, & other head officers of thoſe cities, boroughes, and townes corporat, where they keepe Seſſions, to proceed to the execution of this Act, and euery article thereof within the precincts of their liberties, at ſuch time and times, & as often as to them ſhall ſéeme méet, in as large and ample manner, as the Juſtices of peace in any Countie may doe. 39. El. 16.

Barley growing, tythe, or rent.

8 Prouided alſo, that it ſhall and may be lawfull, to, and for euery perſon and perſons, which ſhall haue of his own any Barley or Corne growing, or any tythe Corne, or rent Corne, reſerued vpon any Leaſe or demiſe, to conuert into Mault all or any ſuch Barley or Corne: any thing in this preſent Act to the contrarie notwithſtanding. 39. El. 16.

None ſhall meddle, which vſeth to make mault.

9 Prouided alſo, that no manner of perſon or perſons ſhall deale, or meddle in the execution of this Act, that vſe to buy Barley to conuert to Mault, & to ſell the ſame againe. This Act ſhall continue vntill the end of the firſt Seſſion of the next Parliament. 39. El. 16. 1. Iac. 25.

Meſne.

WHen chiefe Lords doe diſtraine in their fée for cuſtomes and ſeruices due vnto them, and there is a Meſne which ought to acquit the Tenant, ſithence it lieth not in the mouth of the Tenant after he hath repleuied the diſtreſſe, to denie the demaund of the chiefe Lord which auoweth in the Kings Court, that the diſtreſſe is lawfully taken vpon his Tenant, viz. vpon the Meſne, this remedie following is prouided for the tenant, That as ſoone as the Tenant in demeſne (hauing a Meſne betwéene him and the chiefe Lord) is diſtrained, immediatly the tenant ſhall purchaſe a writ of Meſne. And if the Meſne hauing land in the ſame Countie will make default vntill the graund diſtreſſe be awarded, the plaintife ſhall haue ſuch day giuen him in his writ of graund diſtreſſe, that before the comming thereof, two counties may be holden, & the Shirife ſhall be commanded ẏ he do diſtraine the Meſne by ẏ graund diſtres, as in ẏ writ is contained: And neuertheleſſe, the Shirife in two full counties ſhal cauſe ſolemnly to be proclaimed, that the ſaid Meſne ſhall appeare at the day contained in the writ, to anſwer the Tenant: At which day if he doe appeare, the ſuit ſhall proceed betwixt them according to the accuſtomed manner, & if he doe not appeare, then the ſaid Meſne ſhall loſe ẏ ſeruice of his tenant, & from thenceforth the tenant ſhall not anſwere him in any thing,

The Meſne forcloſed of his Meſnaltie

thing,but(leauing the Meſne) ſhall anſwere the chiefe Lord thoſe ſeruices & cuſtomes which before time the foreſaid Meſne had wont to doe. But ỳ chiefe Lord ſhall haue no power to diſtraine the tenant in demeſne, ſo long as the ſaid tenant do offer him his ſeruices due and accuſtomed. And if ỳ chiefe Lord do require more than the Meſne ought to doe vnto him, the tenant in this caſe ſhall haue the ſame exception againſt the Lord, which the Meſne ſhould haue had. And if the Meſne haue nothing in the Kings power, yet the tenant ſhall purchaſe his writ of Meſne to the Shirife of that Countie wherein he is diſtrained. And if the Shirife returne that he hath nothing, whereby he may be ſummoned, yet a writ of Attachment ſhall be awarded, & if the Shirife returne that he hath nothing whereby he may be attached, yet a writ of Graund diſtres ſhall be awarded, & Proclamation ſhall be made in forme aforeſaid. If the Meſne haue no land in the Countie wherein the diſtreſſe is taken, but hath land in ſome other Countie, then an Originall writ ſhall be awarded to ſummon the Meſne, to the Shirife of that Countie wherein the diſtreſſe is taken: & when that Shirife ſhal returne that he hath nothing in his county, then a Judiciall writ ſhal be awarded to ſummon the Meſne, to the ſhirife of that countie wherin it is teſtified that he hath land, & the ſuit ſhal proceed in that countie vntill it is come to the Graund diſtres & proclamation, as before is ſaid of the Meſne hauing land in the ſame countie where the diſtreſſe is taken, & neuertheleſſe ſuit ſhal be in the countie wherein he hath nothing (as before is ſaid of the Meſne hauing nothing) vntill it be come to the graund diſtreſſe & proclamation, & ſo after proclamation made in both counties, the Meſne ſhall be foreiudged of his fée and ſeruice. And whereas it chanceth ſomtime that the tenant in demeſne is enfeoffed to hold of the Meſne by leſſe ſeruice than the Meſne ought to doe vnto the chiefe Lord, when after ſuch proclamation the Tenant hath atturned vnto the chiefe Lord (omitting the Meſne) the tenant muſt of neceſſitie anſwere the chiefe Lord the ſeruices and cuſtomes, which the Meſne before ought to haue done vnto him. And after the Meſne doth come into the Court, & doth acknowledge that hée ought to acquit his Tenant, or is adiudged to acquit him, if after ſuch acknowledging or iudgement, there be complaint made that the Meſne hath not acquited his tenant, then a Judiciall writ ſhall be awarded, that the Shirife ſhall diſtraine the Meſne to acquit the tenant, & to appeare before the Juſtices at a certaine day, to ſhew why he did not acquit him before. And when he appeareth at the diſtreſſe, the plaintife ſhall be heard, & if the plaintife can verifie that he hath not acquitted him, he ſhall yéld him dammages, and by award of the Court, the Tenant ſhall goe quite from his Meſne, and atturne vnto the chiefe Lord, and if he doe not appeare at the firſt diſtreſſe, another writ of diſtreſſe ſhall be awarded, and proclamation ſhall be made, and as ſone as that is returned, iudgement ſhal be giuen as is aforeſaid. And it is to be noted, that by this Statute, the tenants be not excluded, but they may haue their warrantie of the Meſnes and their heires if they be impleaded of their tenements as they haue had before, neither be the tenants excluded, but they may ſue their Meſnes according to the cuſtome before time vſed, if they ſée that the proceſſe in auncient time vſed, may more auaile them than that which is giuen by this Statute. And it is to be vnderſtanded, that by this ſtatute, there is no remedie prouided for all Meſnes, but onely in caſe where there is but one onely Meſne betwixt the Lord that doth diſtraine and the tenant, and but in ſuch caſe where the Meſne is of full age, and but in ſuch caſe where the tenant without the preiudice of any other than of the Meſne, may atturne to the chiefe Lord, the which is ſaid for women that be tenants in Dower, tenants by the curteſie of England, or otherwiſe tenants for terme of life, or in fée taile, for whom by this Statute no remedie is prouided, Weſt.2.13.Ed.1.9.

The tenant holding by leſſer ſeruice than the Meſne doth.

Warrantie of the Meſne.

The tenant may take his remedy giuen by the Common Law.

For which Meſne this ſtatute is prouided.

Mildernix and Powle Dauies.

NO perſon or perſons reſiant or dwelling within this Realme, ſhall make, weaue, or cauſe to be made or weaued, any Cloth, or Clothes for Sayles, or furniture of Ships, or other ſayling veſſels, called or knowen by the name or names of Mildernix and Powle Dauies, or any of them, but ſuch as now doe vſe the ſame, or any of their ſeruants, or ſuch as ſhall hereafter be Apprentices, & trained & brought vp in the Trade and art of making of the ſaid Clothes by the ſpace of vij. yeares together at the leaſt: Nor ſhall ſet any man to worke in the making or weauing of any ſuch Clothes being not a workman trained vp before the firſt day of Auguſt next comming in the ſaid art & miſtery, vpon pain that euery ſuch perſon offending, or doing the contrary ſhall forfait for euery default xx. ſ. for euery Peneth. 1. Iac. 24.

2 No perſon or perſons ſhal make or weaue the ſaid Clothes of any other ſtuffe then of good & ſufficient Hempe, nor of any leſſe length then xxiij. yardes, nor of any leſſe breadth then 3. quarters of a yard: Nor the Weauer or other perſon or perſons ſhal ſell, or offer to ſell any of the ſaid Clothes, before the ſtuffe be wel beaten, ſcoured, bleached, & the Cloth well driuen, with a brazen or Iron ſhuttle, vpon pain that euery perſon offending, or doing the contrary herein, ſhall forf. & loſe for euery ſuch peece of cloth wouen, made, or ſold contrarie to the forme of this Act v. ſ. And the moitie of the benefit of all the forfaitures and penalties in this Act conteined ſhall be vnto the King, his heires & ſucceſſors: And the other moitie vnto ſuch as will ſue for the ſame in any of the kings courts, by B. P. A. I. or otherwiſe, wherein no W. E. or P. ſhall be allowed. 1. Iac. 24.

The forfaitures.

Monaſteries, Colledges, Freechappels, Chauntries, &c.

Monaſt. giuen to the K. which hath not in lands aboue CC. li. by the yeare.

ANn 27. H. 8. it is enacted, that the ſaid K. H. 8. ſhal haue and enioy to him, and his heires for euer, all ſuch Monaſteries, Priories, & other Religious houſes of Monkes, Canons, & Nunnes, which haue not lands, tenements, rents, tithes, portions, & other hereditamẽts, aboue the cleere yerely value of CC. li. And in like maner ſhall haue all the ſcites & circuits of euery ſuch Religious houſes, & all & ſinguler the manors, granges, meaſes, lands, tenements, rents, reuerſions, ſeruices, tithes, pentions, Churches, chappels, aduowſons, patronages, annuities, rights, conditions, & other hereditaments, belonging to euery ſuch Monaſtery, Priory, or Religious houſe, in as large maner, as the abbots, priors, abbeſſes, & other Gouernours of ſuch religious houſes &c. now haue or ought to haue the ſame, in the right of their houſes: And alſo he ſhall haue to him & to his heires, all ſuch Monaſteries, Abbies, & Priories, which at any time within one yeare next before the making of this Act, haue bẽn giuen & graunted to his Maieſtie by any Abbot, Prior, Abbeſſe, or Prioreſſe, vnder their Conuent ſeale, or that otherwiſe haue bẽn ſuppreſſed, or diſſolued, & all the manors, lands, &c. & hereditaments to any of the ſame Monaſteries &c. belonging. And the king ſhal haue the actuall & reall poſſeſſion of all the ſayd Religious houſes, ſo that he may giue & diſpoſe them at his pleaſure, without further inquiſitions or offices to be found for the ſame. And the King ſhall haue to his own vſe al ſuch Ornaments, Jewels, good, cattels, & debts which appertained to any of the chiefe gouernors of the ſaid monaſteries, or religious houſes, in the right of their ſaid Monaſteries, or houſes, at 1. Martij, An. Do. 1535. or at any time ſithence, whereſoeuer they ſhal come, except onely ſuch beaſts, graine, & woods, & ſuch other like cattel & reuenues, as they haue ſold before the ſaid firſt day of March, or ſithence, for the reaſonable expences of any of the ſaid houſes &c.

Monaſt. ſuppreſſed within a yeare before.

Monaſteries goods giuen to the King.

2 And

2 And in the same Statute it is further enacted, that euery person and bodies politique, & corporat, which haue, or shal haue any Letters patents of the king of any of the scites, circuits, manors, lands, &c. or other hereditaments which appertain to any Monasteries, abbies, or priories heretofore suppressed, or that shall be suppressed by this Act, shall haue and inioy the said scites, lands, &c. and all other hereditaments contained in their Letters patents, according to the tenor of the same Letters patents, and shall also haue all such actions, suits, entries, and remedies to all intents for any thing contained in euery such Letters patents, in like maner as the chiefe Gouernors of any Religious houses had the same, or ought to haue had, if they had not bēn suppressed. 27. H. 8.

A cōfirmation of the kings letters Patents made of Abbey lands.

3 Sauing to euery person & persons, & bodies politike, their heires & successors (other then the Abbots, Priors, Abbesses, Prioresses, & other chiefe Gouernors of the said Religious houses especified in this act, and the conents of the same, & their successors, & such as pretend to be founders, patrons, or donors of such Religious houses, or of any lands, tenements, or hereditaments belonging to the same, & their heires & successors) all such right, title interest, possessions, leases for yeres, rents, seruices, annuities, commodities, fées, liberties, & liuings, pensions, portions, corodies, synodes, priories, & all other profits, as they or any of them hath, ought, or might haue had, in or to any of the said Monasteries, or other religious houses, or in, or to any manors, lands, or other hereditaments, that appertaine to any of them as if the same houses had not bin suppressed by this act, but had continued. And sauing vnto euery person & persōs being founders, patrons, or donors of any abbey, priory, or other religious houses suppressed by this act, their heires & successors, all such right, title, interest, possession, rents, annuities, fées, offices, leases, commons, & all other profits, which any of them haue, or should haue had, without fraud or couin by any means, otherwise then by reason or occasion of the dissolution of the said Abbies, Priories, or other religious houses, into or vpon any of the said Abbies &c. whereof they be founders, patrons, or donors, or into or vpon any lands, tenements, or other hereditaments belonging to the same, in like maner, as other persons & bodies politike, be saued by this act, as is before rehearsed, And as if the same Abbies, Priories, or other religious houses had not bēn suppressed by this act, but had continued in their essentiall bodies and estates. 27. H. 8.

Other mens tiules saued.

The founders right of some things saued.

4 All craftie and fraudulent recoueries, feoffements, estates, gifts, graunts, & leases, and euery of them, made by any of the chiefe Gouernors of such religious houses, vnder their couent seales within one yeare next before the making of this Act, shall be vtterly void. 27. H. 8.

Fraudulent conueiances.

5 Such persons as haue Leases for terme of life, or yeares, whereupon is reserued the old rent, and seruices accustomed, and such as haue any offices, fées, or corodies, that hath bēn accustomed, in such Religious houses, and haue bought any liuerie or liuing in any such houses, shall haue and enioy the same, as if this act had neuer bin made. 27. H. 8.

Leases, offices, fees, corodies, saued.

6 But this Act shall not be preiudicial to any Abbots or Priors of any Abbies or Priories, being certified into the Exchequer, to haue in possessions & profits spirituall & temporall, aboue the clere yerely value of 200. l. concerning such Celles of religious houses, belonging to their Monasteries or Priories, in which Celles ỳ Priors, or other chiefe gouernors thereof, be vnder the obedience of the abbots and priors to whom such Celles belong, & cannot sue nor bē sued, & be priors or Gouernors datiue or remoueable, & account of the profits of such Celles at the pleasure of the abbots & Priors, &c. 27. H. 8. a Stat. not imprinted. S. Husbandrie 1.

Celles of houses vnder the obedience of others.

7 And 31. H. 8. 13. It is enacted, that the King shall haue and enioy to him his heires and successors for euer, all and singular such late Monasteries, Abbathies, priories, Nunries, Colledges, Hospitals, houses of Friers, and other religious and ecclesi-

All religious houses which before were, or should be dissolued, giuē to King H. 8.

eccleſiaſticall houſes & places, which ſithence 4. Feb. An. 27. H. 8. haue bin diſſolued, ſuppreſſed, renounced, relinquiſhed, forfeited, giuen vp, or by any other meanes come to his highneſſe, And in like maner ſhal haue and enioy, all the ſcites, circuits, precincts, manors, lordſhips, granges, meaſes, lands, tenements, medowes, paſtures, rents, reuerſions, ſeruices, woods, tithes, pentions, portions, parſonages appropried, vicarage, churches, chappels, aduowſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, commons, leetes, courts, liberties, priuiledges, franchiſes, and other whatſoeuer hereditaments, which appertained to the ſaid late Monaſteries, & other religious houſes &c. or to any of them, in as ample maner, as the late Abbots, Priors, and other eccleſiaſticall Gouernours of ſuch Monaſteries, and religious houſes, had, held, or occupied, or of right ought to haue had, holden, or occupied, in the right of their ſaid Monaſteries, or religious houſes, at the time of the ſaid diſſolution, or by any other meane comming of the ſame to the King, ſithence the ſaid 4. day of Februarie. And not only all the ſaid late Monaſteries, Abbathies, & other religious houſes, ſcites, circuits, manors, lands, and all other the premiſſes forthwith preſently, but alſo all other Monaſteries, & all other religious and Eccleſiaſticall houſes and places, which hereafter ſhall be diſſolued, ſuppreſſed, or by any mean come vnto the King. And alſo all the ſcites, circuits, manors, lands, & other hereditaments whatſoeuer belonging to any of them, whenſoeuer, & as ſone as they ſhal be ſo diſſolued, or by any other meane come vnto the K. ſhall be veſted & adiudged in the very actual and real ſeiſin & poſſeſſion of the King, his heires and ſucceſſors for euer, in the ſtate and condition as they now be, and as though all the ſaid late Monaſteries, Abbathies, and all other religious and Eccleſiaſticall houſes and plaſes ſo diſſolued and ſuppreſſed, as alſo which hereafter ſhal be diſſolued, ſuppreſſed, &c. or come vnto the King, ſcites, circuits, precincts, manors, lordſhips, graunges, lands, tenements, and other the premiſſes, and euery of them, were in this preſent Act ſpecially & particularly named by expreſſe words.

Other mens titles ſaued.

8 Sauing to euery perſon or perſons, and bodies politique, and the heires and ſucceſſors of euery of them (other then the ſaid late Abbots, and Eccleſiaſticall Gouernors of the ſaid late Monaſteries, and other religious and Eccleſiaſtical houſes and places, & the ſucceſſors of euery of them, and ſuch as pretend to be Founders, Patrons, and Donors of ſuch Monaſteries, & other Eccleſiaſticall houſes and places, or of any manors, meſſuages, lands, tenements, & other hereditaments belonging to the ſame, their heires, and ſucceſſors, & the heires, & ſucceſſors of euery ſuch Patron, Founder, or Donor, & the now Abbots, and other Eccleſiaſticall Gouernours of ſuch Monaſteries & religious houſes & places, which hereafter ſhall be diſſolued, or come to the King, and ſuch as pretend to be Founders, Patrons, or Donors of ſuch Monaſteries and Eccleſiaſticall houſes and places, or of any manors, meſſuages, lands, tenements, or other hereditaments, to any of them belonging, their heires and ſucceſſors) all ſuch right, title, claime, intereſt, poſſeſſions, rents, charges, annuities, leaſes, farmes, offices, fees, liueries, and liuings, portions, pentions, corodies, commons, ſinodes, priories, and other profites, which they or any of them haue, claime, ought, may, or myght haue had, in, or to the premiſſes, or to any part or parcell thereof, in ſuch like manner, to all intents, as if this Act had neuer bin made (rents ſeruices, rents ſeckes, & al other ſeruices & ſuits onely excepted.) 31. H. 8. 13.

Leaſes of lands not vſually let.

9 If any Abbot, Prior, Abbeſſe, Prioreſſe, or other Eccleſiaſticall Gouernour or Gouerneſſe, of any Monaſterie, Abbathie, or other Religious or Eccleſiaſticall houſe or place which hereafter ſhall be diſſolued, ſuppreſſed, or come to the King, within one yere next before the firſt day of this Parliament (being 28. Aprihs, Añ Domini 1539.) haue made, or hereafter do make any leaſe or graunt vnder his co-

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uent or common ſeale, or otherwiſe for terme of yeares, or life, or liues, of the ſcite, circuit, and precinct of his ſaid Monaſterie, or Eccleſiaſticall houſe, or place, or of any part thereof, or of any manors, meſuages, lands, or other hereditaments, belonging to his ſaid Monaſterie, or Eccleſiaſticall houſe or place, which manors, meaſes, granges, lands, &c. or other hereditaments, were not before the ſame leaſe commonly vſed to be let to ferme, but reſerued in the manurance, tillage, or occupation of the ſaid Gouernour or Gouernelle, for the maintenance of Hoſpitalitie, and good houſe keping, or now be in the manurance, tillage, or occupation of the ſaid Gouernour or Gouernelle, for the maintenance of Hoſpitalitie, &c. Or within one yeare next before the firſt day of this Parliament, hath made, or hereafter ſhall make any leaſe or graunt, for terme of life, or for terme of yeares, of any Manors, Meaſes, Lands &c. or other Hereditaments, whereof and in the which any eſtate or intereſt, for terme of life, yeare or yeares, at the time of the making of any ſuch graunt or leaſe, then had his being or continuance, or hereafter ſhal gaue his being or continuance, and then was not determined or expired, or at the time of any ſuch Leaſe to be made, ſhal not be determined or expired: Or within one yeare next before the firſt day of this Parliament, hath made, or hereafter ſhal make, any leaſe or graunt for terme of life, or for terme of yeares, of any manors, meſuages, lands, or other hereditaments, vpon the which leaſes or graunts, the vſuall & olde rents and farmes accuſtomed to be yælden and reſerued, by the ſpace of twentie yeares, next before the firſt day of this Parliament, is, or be not, or hereafter ſhall not bee thereupon reſerued and yælden: Or within one yeare next before the firſt day of this Parliament hath made, or hereafter ſhall make any bargaine or ſale of his woodes, which woods be yet growing and ſtanding, then all and euerie ſuch leaſe, graunt, bargaine, and ſale of woods, ſhal be vtterly voide. 31. H. 8. 13.

Leaſes in reuerſion.

Leaſes not reſeruing the old rent.

Woodſales.

10 All feoffements, fines, and recoueries, had, made, knowledged, or ſuffered within one yeare next before the firſt day of this Parliament, or hereafter to bee made, knowledged, &c. by any Gouernors or Gouernelles, of any Monaſterie, or other Religious or Eccleſiaſticall houſe or place, which hereafter ſhall be diſſolued, ſuppreſſed, &c. or come to the King, without the kings licence, vnder his great Seale, of any manors, meaſes, lands, tenements, or other hereditaments, which the ſaid Abbots, and other Eccleſiaſticall gouernours and gouernelles, or any of them, or any of their predeceſſors, had or held, or haue and hold of the gift, graunt and confirmation of the King, or any of his progenitors, or of the which Monaſteries, or Eccleſiaſticall houſes, the King is founder or patron, or which manors, meaſes, or hereditaments, were or be of the antient foundation or poſſeſſion of the ſame Monaſteries, Abbathies, or Eccleſiaſticall houſes or places, ſhall be vtterlie void. 31. H. 8. 13.

Aſſurance of lands without the K. licence.

¶ In the ſame Statute the like puruiew was made in euery reſpect, to auoid all Leaſes of lands not vſually let, leaſes in reuerſion, Leaſes not reſeruing the old rent, ſales, of Woods, aſſurances of lands of the kings gift, or auncient foundation, without the Kings licence, made by any Abbots, or Gouernours of any Religious houſes, which were before the making of the ſaid Statute diſſolued within one yeare next before the diſſolution or comming to the Kings hands of the ſame houſes.

11 But if any Abbot, Priour, Abbeſſe, Prioreſſe, or other Gouernour or Gouernelle aboueſaid, within one yeare next before the firſt day of this Parliament, or if any late Gouernor or Gouernelle, &c. which in one yeare next before any ſuch diſſolution or comming to the King of the premiſſes haue made any demiſe, leaſe, or grant, to any perſon for terme of yeares, of any manors, meaſes, lands, or other heredi-

Leaſes made within the yeares to the old leaſes.

hereditaments aforesaid, which person at the time of the said demise &c. had the same to ferme, for terme of yeares, then not expired: Then the said person to whom any such demise &c. hath bene so made shall haue the same for terme of xxj. yeares, only from the time of the making of the said demise &c. if so many yeares be by the same demise &c. limited and expressed, or else for so many yeares as in such demise bene expressed, so that the old rent be therupon reserued, & so that the same lease excede not xxj. yeares. And if any Abbot or other late gouernor or gouernelle, within one yeare next before any such dissolution or comming vnto the King of the premisses, haue made any demise, lease or graunt, to any person or persons for terme of life or liues, of any manors, meases lands, or other hereditaments aforesaid, which person or persons, or any of them, at the time of the said demise, lease, or graunt, had & held the same for terme of life or liues, or for terme of yeres then not expired: Then the said person or persons, to whom any such lease or graunt hath ben so made, shal haue & hold the same for terme of their life, or liues, so that the old rent be thereupon reserued. And alle singuler leases & graunts made by copie to any person or persons, of any of the said messuages, lands, tenements, &c. or other hereditaments aforesaid, for terme of life or liues, which by the custom of the country hath ben vsed to be demised, letten, or graunted by copie of courtrolle, shal be good & effectuall in the law, so that the old rent be reserued by & vpon euery such lease & leases: This act &c. notwithstanding. 31. H. 8. 13.

Lease for life to the old lesee.

Graunts by copy.

Leases allowed and inrolled in the Court of augmentations.

12 Prouided alwaies, that all leases heretofore made of any the premisses, by the authoritie of the Kings court of Augmentations, And all such leases, feoffements, and woodsales made the said gouernours or gouernelles or any of them, vnder the couent or common seale of any of them within one yeare next before the dissolution or comming to the king of the said Monasteries or Ecclesiasticall houses, which said leases, graunts, feoffements, and woodsales, haue ben examined, inrolled, decreed, or affirmed in the Kings court of Augmentations, And the decree of the same put in writing, sealed with the seale of the said court, shall be good and effectuall, according to the same decree, any clause in this act &c. notwithstanding. 31. H. 8. 13.

Assurances to others by the kings licences.

13 All persons their heires and assignes, which sithence the said iiij. of Februarie (viz. in An 27. H. 8.) by licence, pardon, confirmation, release, assent or consent of the king vnder his great seale heretofore giuen or made, or hereafter to be had or made, haue obtained or purchased by indenture, fine, feoffement, recouery, or otherwise of the said late Abbots, Priors, &c. or other Gouernours or Gouernelles, of any such Monasteries, or other Ecclesiasticall houses, any Monasteries, Priories, Colledges, hospitals, manors, lands, or other hereditaments, shall haue and enioy the same according to such writings and assurances as ben thereof before the first day of this Parliament, or hereafter shall be had or made. Sauing to euery person & persons and bodies politike, their heires and successors (other then the said late Abbots, Abbesses, and the successors of euery of them, and such as pretend to be founders, patrons, or donors of the said Monasteries, or any of them, or of any manors, messuages, or other hereditaments late belonging to any of them, and the heires and successors of euerie such founder, patron, or donor,) all such right, title, interest, possession, rents, &c. and other profites, which anie of them haue, ought, or mought haue had, in, or to any the said monasteries, or other hereditaments, at any time before anie such purchase, indentures, fines, feoffements, recoueries &c. 31. H. 8. 13.

Other mens titles saued.

All colledges, chauntries, &c. in the disposition of king H. 8.

14 An. 37. H. 8. 4. It is enacted, that all Colledges, Frechapels, Chauntries, Hospitales, Fraternities, Brotherheads, Guildes, and stipendarie Priestes made to haue continuance for euer, that ought to be contributorie to the payment of the first Fruits and Tenthes, And all the mansion houses, manors, lands, tenements,

and

and all other hereditaments, whatsoeuer they be, appertaining, or that did appertaine, or were appointed to any such Colledge, &c. or other the said promotions, or to any of them, or knowen, or taken as parcell or member of any of them, & to the said Colledges &c. or to any of them vnited (which betweene the iiij. of Februarie, Anno 27. H. 8. & xxv. Decemb. 37. H. 8.) by reason of any entrie, expulsion, bargaine, sale, feoffement, fine, recouerie, lease, or other conueiance thereof had, or made, be dissolued, relinquished or extincted (other then such of them as now be or were in the possession of the King, or that been graunted or assured by his licence, consent, letters patents, to anie other persons, or haue been lawfully recouered by anie person, by anie former right, without fraud or couin, or by the Kings licence) shall from henceforth be adiudged, and also be in the actuall & reall possession of the king, and of his heires and successors for euer, in as ample maner, as the said Priestes, Wardens, Ministers, Gouernors, Rulers, or any other Incumbents, or any of them, or the Patrons, Donors, or founders of them, or of any of them, at any time sithence the said iiij. day of Feb. 27. H. 8. inioyed, or now inioieth the same, & as though al the said Colledges, Chauntries, Hospitals, frœchappels, fraternities, brotherhods, guilds, and other the said promotions, and the said manors, lands, tenements, hereditaments, and other the premisses, and euery of them, were in this Act particularly and certainlie named by expresse words. 37. H. 8. 4.

All Colledges, Chauntries, &c. giuen to K. Edw. 6. 4. Nouemb. An. Do. 1547.

15 Al Colledges, Frœchappels, and Chauntries, haning being, or in Esse, within fiue yeares next before the first day of this Parliament (being the fourth of November, Añ Dom. 1547. which were not in actuall and reall possession of the late K. H. 8. nor of the king that now is (viz. E. 6.) nor excepted in the said former act of 37. H. 8. other then such as by the Kings commissions shalbe transported or chaunged, and all manors, lands, and other hereditaments, belonging to them, or any of them. And also all manors, lands, and other hereditaments, by any maner of assurance, wil, deuise, or otherwise suffred, had, made, knowledged, or declared, giuen, or appointed to the finding of any Priest to haue continuance for euer, and wherewith, or whereby any Priest was maintained or found within v. yeres next before the first day of this Parliament, which were not in the actuall and reall possession of the said late King, nor of the King that now is. Also all annual rents and profits, at any time within fiue yeres next before the beginning of this Parliament, imployed, paied, or bestowed, toward or for the maintenance or finding of any stipendarie Priest, intended by any act or writing to haue continuance for euer, shal immediatly after the feast of Easter next comming (being 1. Aprilis, Añ Dom. 1548.) be adiudged, and also be in the verie actuall and reall possession and seisin of the King, his heires and successors for euer, without any office, or other inquisition thereof to be had or found, and in as ample maner, as the Priests, Wardens, Maisters, Ministers, Gouernors, Rulers, or other Incumbents of them, or any of them, at any time within fiue yeares next before the beginning of this Parliament, had, occupied, or enioyed, or now hath, occupieth, or enioyeth the same, and as though all the said Colledges &c. and the said lands, tenements, hereditaments, and other the premisses, and euery of them, were in this Act particularly rehearsed by expressed names: But this Act shall not extend to any lands appointed for the finding of any Chaunterie, or Stipendarie Priest, which by any former and good title, were lawfully recouered from any such Priest, before primo Octobris 37. H. 8. which Lands were not chargeable to the payment of the perpetuall Tenth. 1. E. 6. 14.

Finding of a Priest to continuel for euer

Lands recouered from a Priest, or Chauntrie.

16 Where any lands, tythes, pentions, portions, rents, profits, or other hereditaments, by any assurance, will, deuise, or otherwise, at any time heretofore made, were giuen or appointed for the maintenance or finding of one Priest, or of diuers Priests,

Finding of a Priest for certaine yeares.

Prieſts, for terme of certaine yeares yet continuing, & that any Prieſt hath bene maintained or found with the ſame, or with the profits thereof, within fiue yeares laſt paſt: The King from the ſaid feaſt of Eaſter next comming, ſhall haue in euerie behalfe, during all ſuch time to come, euerie ſuch things, tenements, hereditaments, and profits, as the Prieſt or Prieſts ought or ſhould haue had, for or toward his or their maintenance, & for no longer time, nor for any other profit thereof to be taken. And as ſone as the time aſſigned for the maintenance of the Prieſt, or Prieſts, ſhalbe expired, then it ſhalbe lawfull to euerie perſon to whom any manors, lands, and other hereditaments, ſhould haue belonged (if the ſaid former Act, and this Act had neuer bene made) to enter into, and enioy the ſame, without any Liuerie, Ouſter le maine, Petition, or other ſuit to be made to the K. in like maner, to all intents, as though the ſaid former Act and this Act had neuer bene made, and as though the King had neuer had any ſeiſin or poſſeſſion therof. And the K. ſhal haue all ſuch goods, cattels, iewels, plate, ornaments, and other moueables, as were or be the common goods of euerie ſuch Colledge, Chauntrie, Free Chappell, or Stipendarie Prieſt, belonging or annered to the furniture or ſeruice of their ſeuerall foundations, the propertie whereof was not changed before the 8. of Decemb. Añ Do. 1547. And al ſuch debts as ſhould be paid of the goods of any of the ſaid Colledges &c. due by any contract, ſpecialtie, or promiſe, made before the ſaid 8. day, ſhalbe paid by the Treaſurer of the Court of Augmentations. 1. E. 6. 14.

The goods of Chauntries, free Chappels, &c.

The debts of Chauntries, free Chappels

Anniuerſaries, obites, lamps, lights.

17 The King, his heires and ſucceſſors, from the ſaid feaſt of Eaſter, ſhall haue and enioy for euer, all lands, tenements, rents, and other hereditaments, which by any maner of aſſurance, conueiance, wils, will, deuice, or otherwiſe, at any time heretofore made, ſuffered, knowledged, or declared, were giuen, or appointed to go or to be imploied wholy to the finding or maintenance of any anniuerſary or obite, or other like thing, intent, or purpoſe, or of any light or lamp in any church or chappell, to haue continuance for euer, which hath bene kept or maintained within fiue yeares next before the firſt day of this Parliament. But it ſhall not be lawfull to any perſon, bodie politique or corporat, by reaſon of any remainder, vſe, or condition, to enter into, or challenge any lands, tenements, or hereditaments, for the not doing, not naming, or not finding of any prieſt or prieſts, or poore ſolkes, obite, anniuerſarie, light or lampe, to be founden or done. 1. E. 6. 14.

No recouerie for default of obites, lamps, lights.

Part of the iſſues of lands giuen to the finding of obites, &c.

18 Where but one part of the iſſues or reuenewes of any lands, or other hereditaments, hath by any of the wayes aboueſaid, bene giuen, or appointed to be beſtowed to the maintenance of any anniuerſarie, or obite, or other like thing, or of any light or lampe in any church or chappel, and to haue continuance for euer: Then the K. ſhal from the ſaid feaſt of Eaſter for euer, haue and enioy euery ſuch ſummes of money, that in any one yeare, within fiue yeares next before the firſt day of this Parliament, hath bene beſtowed about the maintenance of any ſuch anniuerſary or obite, or other like thing, or of any light or lampe, to him, his heirs and ſucceſſors for euer, as a rent charge to be paid yerely at the feaſt of S. Michael the Archangel, and the Annunciation of our Ladie, by euen portions. And it ſhalbe lawfull to the K. his heirs and ſucceſſors, for non-paiment of any ſuch ſumme of mony, to diſtrain in the ſaid lands and tenements, of the iſſues and reuenues, whereof the ſaid anniuerſarie or obite, or other like thing, or any ſuch light or lampe was maintained, And for lacke of ſufficient diſtreſſe therein, by the ſpace of one moneth next after that any of the ſaid rents ſhould be paid, and bee not paied within the ſaid moneth: Then it ſhalbe lawfull to the K. his heirs and ſucceſſors, to enter into, and poſſeſſe as much of the lands &c. wherof the ſaid rent ſhould be paid, as the rent that ſhould be paid out of the ſame ſhall come to in yearely value, and the ſame &c. to hold and keepe for euer, or for ſuch eſtate as the K. his heires and ſucceſſors, had, or ought to haue had in the ſaid rents. 1. E. 6. 14.

19 The

19 The King, his heirs and ſucceſſors, ſhal from the ſaid Feaſt of Eaſter, haue and enioy, all ſuch ſummes of money, profits and commodities, which by vertue of any conueyance, compoſition, will, deuiſe, or otherwiſe, heretofore haue bene giuen or appointed to haue continuance for euer, which in any one yeare, within fiue yeares next before the beginning of this Parliament, hath bene beſtowed by any Corporations, Guilds, Fraternities, Companies, or Fellowſhips of Myſteries, or any of them, or by the Maſters, Wardens, Gouernors, or other Officers, or by the Maſter &c. of any of them, about the maintenance of any Prieſt, Anniuerſarie, Obite, Lampe, or Light, or other like thing: To be paid yearely as a rent charge at the Feaſts of S. Michael, and the Annunciation of our Ladie, by euen portions. And it ſhalbe lawfull to the King, his Heires and Succeſſors, for non-paiment of any ſuch ſumme of money, profit, or commoditie, to diſtraine in all manors, lands, and tenements of euerie ſuch Crafts, Corporations, &c. or any of them, by whom, or by the Wardens, Maſters, &c. of the which any ſuch ſumme of money, profit, or commodity haue bin paid or imploied. And euery of the ſaid ſummes of money, profits and commodities, ſhall from the ſaid feaſt of Eaſter, without any inquiſition or office to be found, be adiudged to be in the actuall and reall poſſeſſion of the King &c. 1. Ed. 6. 14.

Money giuen to the finding of a prieſt, obite, light, lampe by a Corporation.

20 The King ſhall from the feaſt of Eaſter haue and enioy to him, his heirs and ſucceſſors for euer, all Fraternities, Brotherhods, and Guilds, being within any of his dominions, and all Manors, Lands, Tenements, and other Hereditaments belonging to any of them (other then ſuch Corporations, Guilds, Fraternities, Companies, and Fellowſhips of Myſteries or Crafts, and the Manors, Lands, Tenements, or other Hereditaments pertaining to them aboue mentioned:) And the ſame ſhall be iudged in the actuall and reall poſſeſſion of the King, his heirs and ſucceſſors, from the ſaid feaſt of Eaſter for euer, without any inquiſition or office thereof to be found. 1. Ed. 6. 14.

Fraternities, brotherhods, guilds, giuen to the King.

21 This Act ſhall not extend to any Colledge, Hoſtell, or Hall, being within either of the Vniuerſities of Cambridge and Oxford, nor to any Chauntrie founded in any of the Colledges, Hoſtels, or Hals, bæing in the ſame Vniuerſities: Nor to the Frée Chappell of Saint George, ſcituat in the Caſtle of Windſor: Nor to Saint Marie Colledge of Wincheſter, beſides Wincheſter, of the foundation of Biſhop Wickham: Nor to the Colledge of Eaton: Nor to the Chappell in the Sea in Newton, within the Iſle of Ely, in the Countie of Cambridge: Nor to any Manors, Lands, Tenements, or Hereditaments, to any of them belonging: Nor to any Chappell ordained for the eaſe of the people, dwelling diſtant from the Pariſh Church, or ſuch like Chappell, whereunto more Lands or Tenements, then the Churchyard, or a little Houſe or Cloſe doth belong: Nor to any Cathedrall Church or Colledge, where a Biſhops Sea is, within England, or in Wales: Nor to the Lands, Tenements, or other Hereditaments, of any of them, other then to ſuch Chauntries, Obites, Lights, and Lamps, or any of them, as at any time within fiue yeares next before the beginning of this Parliament, haue bene had, vſed, or maintained, within any of the ſaid Cathedral churches, or the iſſues, reuenues, or profits of any of the ſayd Cathedrall Churches, to which Chauntries, Obites, Lights, and Lampes, this Act ſhall extend. And the King at any time (during his life) may alter the names of all Chauntries, and the foundations of the ſame, bæing in any of the Colledges, Hoſtels, or Hals, of any of the ſayd Vniuerſities. And alſo may giue authoritie to certaine Commiſſioners, to alter the nature and condition of all Obites, as well within the Vniuerſities of Oxford and Cambridge, as in any other place within England and Wales, being not ſuppreſſed ne annihilated by vertue of this Act, And the ſame Obites ſo altered, to diſpoſe to a better vſe, as to the reliefe of poore Students, or other-

Colledges & Chauntries within the Vniuerſities.
Windſor Colledge.
Wincheſter Colledge.
Eatō colledge
Chappell in the Sea.
Chappell of eaſe.
Cathedrall Church or Chappell.

Corporations of Cities, Boroughes, &c. Cobham. Artilborough.

otherwiſe. Neither ſhall this Act be preiudiciall to the generall Corporation of any Citie, Borough, or Towne, within any the Kings Dominions: Ne ſhal extend to any the Lands or Hereditaments of any of them. Neither ſhall this Act preiudice the Lord Cobham, &c. concerning the late Colledge of Cobham in Kent, or the lands thereof. Neither ſhall it extend to the Chauntrie or Colledge of Artilborough in Norfolke, which King Henrie the eight gaue to the Earle of Suſſex and his heires. 1. E. 6. 14.

Lands whereof the Gouernors were ſeiſed to their owne vſes.

22 This Act ſhall not extend to any Lands, or other Hereditaments, which the ſaid Maſters, Wardens, Miniſters, Chauntrie Prieſts, Incumbents, or other the ſaid Gouernours or Officers of the premiſſes, haue in fee ſimple, fee taile generall or ſpeciall, for terme of life, terme of yeares, or otherwiſe to their owne proper vſes, by inheritance or purchaſe, and not being at any time annexed to their ſayd Colledges, free Chappels, Chauntries, or other the premiſſes: Nor ſhall extend to any Manors, Lands, Tenements, Poſſeſſions, Rents, Annuities, or yearely pentions, or to any yearely ſummes of money, being not parcell of any of the ſaid Colledges, and other the premiſſes heretofore giuen by the ſaid late King, or giuen, or hereafter to be giuen by the Kings Soueraigne Lord (viz. Ed. 6.) to any of the ſayd Deanes, Maſters, Wardens, Miniſters, Chauntrie Prieſts, Incumbents, Gouernors, or Rulers of the premiſſes, for terme of life only, vnder his great Seale, or other Seales. 1. E. 6. 14.

Pentions, rents, ſumms of money giuen by the King.

Copiſhold lands.

23 Neither ſhall this Act extend to any lands or other hereditaments, that any Maſter, Deane, Prebendarie, Warden, or Chauntrie or Stipendarie Prieſt of any Colledge, or other Corporations haue or hold of any perſon, by Copie of Court Roll, or at will, according to the cuſtome of any Manor, nor giue any Copiſhold lands to the King, but euerie of the ſaid perſons ſhall enioy the ſame during their liues, towards their pention and yerely liuing, paying their rents, and doing their cuſtomes and ſeruices thereof due. 1. E. 6. 14.

Other mens rights ſaued.

24 Sauing to all perſons, bodies Politique and Corporat, their heires and ſucceſſors (other then the Maſters, Wardens, Miniſters, Gouernours, Rulers, Prieſts, Incumbents, Fellowes and Brethren of the ſayd Colledges, Chauntries, free Chappels, and other the premiſſes, giuen to the King by this Act, and the ſucceſſors of euerie of them, and other then ſuch as bee, or pretend to be Founders, Patrons, or Donors of the Premiſſes, or any of them, and the heires, ſucceſſors, and aſſignes of euerie of them, and other then ſuch as be or were Feoffees, Recouerees, Conuſees, Grauntees, or Deniſees, of any of the Premiſſes, to, or for any of the vſes aboue mentioned, or to the vſe of any of the ſayd Colledges, free Chappels, Chauntries, or other the Premiſſes, giuen by this Act to the King, or to the intent to imploy the rents or profits thereof, to the vſe of the Maſters, Rulers, Incumbents, or Miniſters of any of them, and other then ſuch as pretend to haue eſtate, right, title, intereſt, vſe, poſſeſſion, or condition, of, in, or to the Premiſſes, or any parcell thereof, by reaſon of any feoffement, fine, bargaine and ſale, or by any other meanes or conueyance to them made of any eſtate of inheritance, without the ſayd late Kings licence or agreement, and without the licence or agreement of the King that now is, by any of the ſayd Deanes, Maſters, Wardens, Gouernors, Rulers, Prieſts, or Incumbents, or by the Founders, Donors, or Patrons of any of them) all ſuch right, title, claime, poſſeſſion, intereſts, rents, annuities, commodities, commons, offices, fees, leaſes, liueries, liuings, pentions, portions, debts, dueties, and other profits, which they, or any of them lawfully haue, or of right ought to haue, or might haue had in any of the Premiſſes, or in any parcell thereof, in ſuch like manner, to all intents, as if this Act had neuer been made, and as though the ſaid Chauntries, Colledges, and other the ſaid promotions, had ſtill remained in their full being. And ſauing to euerie Patron, Donor, Founder, or Gouer-

Gouernour of any ſuch Colledge, Chauntrie, frée Chappell, Stipendarie Prieſts, and other the premiſſes, giuen to the King by this Act, and the Donor, Feoffor, and giuer of the ſoreſaid Lands, Tenements, and Hereditaments to them, or any of them, or to any vſes or purpoſes before mentioned, all ſuch rents ſeruices, rents ſecke, rents charge, fées, annuities, profits and offices, and alſo leaſes for terme of liues and yeares, whereupon the accuſtomed rent or more is reſerued, or out of any of them lawfully had and enioyed of any the ſayd promotions, or out of any the ſayd Lands, tenements, or hereditaments, before the firſt day of this parliament. 1. Ed. 6. 14. The founder & donors right in ſome things ſaued.

25 As well euerie Patron, Donor, Founder, and giuer of any of the ſaid promotions or premiſſes, or giuer, donor, or feoffor, of any their lands or other hereditaments, as euery perſon which before the making of this Act lawfully had ante rent or other yearely profits of any Chauntries, Colledges, frée Chappels, or other the premiſſes, or out of any lands or other poſſeſſions of any of them, ſhal enioy the ſame in like maner as they ought to haue done, if the ſaid Colledges &c. and other the premiſſes had ſtill continued in Eſſe. 1. Ed. 6. 14. All rents reſerued.

26 If any of the ſaid Maſters, Wardens, Miniſters, Rulers, Gouernours, prieſts, incumbents, or owners of any ſuch colledge, chauntrie, frée chappell, or of any the premiſſes, giuen to the K. by this Act, ſithence 23. Nouēb. in 37. H. 8. haue made any leaſe vnder their common ſeale, or otherwiſe for terme of yeares, life, or liues, of their ſaid Colledges, Chauntries, frée Chappels, or of other the premiſſes, or of any lands or hereditaments, to any of them annexed or appertaining, vpon the which leaſes the vſuall and old rents and ſeruices accuſtomed to be yelded and reſerued, or more, by the ſpace of xx. yeres next before the ſaid 23. day of Nouember, be not reſerued & yelden, the ſame ſhalbe vtterly void. And all other leaſes & grants heretofore made, of any the premiſſes giuen to the K. by this Act, ſhalbe as good and effectuall in the Law, to all intents, as if this Act had neuer bēn made: this Act or any other Act &c. notwithſtanding. 1. E. 6. 14. Leaſes not reſeruing the old rent. Other leaſes confirmed.

27 All ſuch tenthes, ſeruices, iſſues, profits, and other ſummes of mony, payable out of, or for the premiſſes in the Exchequer, ſhal continue, and be yerely paid in the ſame Court, in the ſame manner, as heretofore hath bēne vſed: any law, cuſtome, vnitie of poſſeſſion in the King, or other thing &c. notwithſtanding, and as though the ſaid promotions, lands, and other the premiſſes, had not come to the K. hands. 1. Ed. 6. 14. Tenthes and other duties payable as in former time.

28 All Letters Patents made by King Henry the eight, or by the King that now is, or hereafter to be made by his Highneſſe to any perſon or perſons, or to any Archbiſhop or Biſhop of any of the ſaid Colledges, Chauntries, frée Chappels, or other the premiſſes, or any parcell of them, or of any lands, tenements, or hereditaments belonging, or that did belong to any of them, and all fines, gifts, grants, feoffements, recoueries, and all other aſſurances thereof made, by the conſent or licence (vnder the great Seale of England) of the ſaid late King Henry the eight, or of the King that now is, to any perſon or perſons, bodies politike or corporat, by any Chauntrie Prieſt, Maſter, Warden, Miniſter, Ruler, Gouernor, or other, hauing any of the ſaid Promotions of any of the ſaid Colledges, Chauntries, frée Chappels, or other the premiſſes, or of any part of the ſame, ſhall ſtand in their force, and ſhall be good and effectuall in the Law for ſuch Eſtates and intereſts, giuen or appointed in any of the gifts or conueyances thereof made, according to their purports, forme, and matter, and according to the true meaning of the ſame aſſurances, and ſhall be good and auailable, as well againſt the King, his heires and ſucceſſors, as againſt the ſaid Chauntrie Prieſts, Wardens, Maſters, Rulers, Gouernours, and other, hauing any of the ſaid promotions, and their ſucceſſors, as alſo againſt the Founders, Donors, and Patrons of the ſame, and the Ordina- Aſſurances made by the king, or by his licence.

rie of them, and their heirs and ſucceſſors of euerie of them: any Law, Statute, &c. notwithſtanding. 1. Ed. 6. 14.

A confirmatiõ of all grants made to the K. of ſpirituall liuings.

29 All Gifts and Graunts heretofore made, to the ſaid King Henry the eight, and to his heires, or to the King that now is, and to his heires, by any Archbiſhop, Biſhop, Deane, Archdeacon, Treaſurer, Prebendarie, Maſter, Prouoſt, Gouernour, or other Spirituall perſon, or by any Patron, Donor, or Founder of any of the ſayd Deaneries, Chauntries, or other of the ſaid Spirituall Promotions, of all or any of the Mannors, Lands, or other Hereditaments or commodities, to any of the ſaid Benefices, Offices, Prebends, or Dignities belonging or annexed, or which any of the ſaid Archbiſhops, Biſhops, Deanes, Archdeacons, Treaſurers, Maſters, Prouoſts, Prebendaries, Rulers, Gouernours, or Miniſters, Patrons, Founders, or Donors, had, haue, or ought to haue in their right, or by reaſon of any of the ſame Offices or Dignities, ſhall bee good and effectuall in the Law to all intents: Sauing to euerie perſon &c. (other then the Archbiſhops, Biſhops, Deanes, Archdeacons, Treaſurers, Prebendaries, Rulers, Gouernours, Wardens, Prouoſts, Giuers and Grauntors of any of the Premiſſes, and their Heires, Succeſſors, and Aſſignes, And other then ſuch Eccleſiaſticall perſons, bodies politique or corporat, as are, or pretend to bee Founders, Donors, Patrons, or Ordinaries of the Premiſſes) all ſuch Rights, Titles, intereſts, Claims, Entries, Rents, Remainders, Reuerſions, Fees, Offices, Annuities, Profits, Lands, Tenements, and Hereditaments, as any of them haue, or ſhould, or ought to haue had, of, in, or to any of the Premiſſes nert aboue mentioned, as if this Act had not beene made. But this Act ſhall not extend to make good any Gift, Grant, Sale, or Alienation made by any Parſon or Vicar, of their Parſonages, or Vicarages, or of any parcell thereof, or of any thing to any of them belonging. 1. Edward. 6. 14.

Other mens rights ſaued.

Parſon, vicar

A confirmatiõ of letters patents made by K. H. 8. and K. Ed. 6.

30 All Graunts, Licences, Confirmations, and Letters Patents, which King Henrie the eight, or the King that now is, haue made vnder the great Seale of England, to any perſon or perſons, or bodies Politique, or Corporat, of any Colledge, Chappell, or Chauntrie, now beeing in Eſſe, or not, or of any Lands, Tenements, and Hereditaments, appertaining to any of them, or of any other thing expreſſed, contained, or mentioned in any ſuch Graunt, Licence, Confirmation, or Letters Patents, ſhall bee adiudged good and effectuall in the Law, according to the words, ſentences, meanings, forme, and effect of the ſame Grants, &c. to all intents, as if this Act, and the ſaid Act made 37. H. 8. had neuer bin made. And this Act, and the ſaid Act made 37. H. 8. or any Article, Sentence, or other thing therein contained, ſhal not extend to any Colledges, Chappels, Chauntries, or other things mentioned in this Act, now being in Eſſe, or not, or to any Lands, Tenements, or Hereditaments, appertaining to any of them, or to any other thing expreſſed in this Act, which any perſon, bodie Politique or Corporat, haue obtained, by the aſſent, licence, confirmation, graunt, or letters Patents, of the ſaid late King, or of the King that now is: Nor ſhal extend to any lands, tenemẽts, Hereditaments, or other things contained in any ſuch letters patents, &c. but euerie ſuch perſon &c. ſhall haue and enioy the ſame Colledges, &c. lands, &c. and euery other thing whatſoeuer, ſo by them obtained, according to the words and intent of the ſame licences, confirmations, graunts, and letters patents: This Act, or the ſaid Act made 37. H. 8. or any clauſe or thing contained in any of the ſame Acts &c. notwithſtanding. 1. Ed. 6. 14.

This extendeth not to lands granted by the King.

The lands of S. Johns giuen to the K.

31 Anno 32. H. 8. 24. It was enacted, That the Corporation of the Religion of S. Johns of Jeruſalem in England and Ireland, ſhould bee vtterly diſſolued, and void to all intents. And that the King ſhould haue and enioy all Hoſpitals, and Hoſpitall Churches, Caſtles, Honors, Manors, Lands, Tenements, Rents,

Reuer-

Reuerſions, Seruices, Woods, Meadowes, Paſtures, Parkes, Warrens, Liberties, Franchiſes, Priuiledges, Parſonages, Tithes, Pentions, Portiõs, Knights fees, Aduowſons, Commaundries, Preceptories, Contributions, Reſponſions, Titles, Entries, Conditions, Couenants, and all other poſſeſſions and Hereditaments, lying within England, Ireland, or other the Kings Dominions, which appertained to the ſaid Religion, or to the Priors, Maſters, Gouernors, Knights, or other Miniſters profeſſed, of, or in the ſame, by the pretence, or in the right of the ſaid Religion: And all and ſingular goods, cattels, debts, arrerages of rents and farmes, and all other things reall and perſonall, whatſoeuer they be, whereof or whereunto the ſaid Priors, Brethren, or Confriers, or perſons profeſſed in the ſaid Religion, can haue, or claime any particular propertie to their owne proper vſe, by the Rules and Statutes of the ſaid Religion: To haue and to hold to the ſaid king his heirs and ſucceſſors for euer, to vſe & imploy by his diſcretion at his owne pleaſure. And that the ſaid King ſhould be deemed in the actuall and reall poſſeſſion of the premiſſes. Sauing to all perſons and bodies politique, their heires and ſucceſſors (other then the ſaid Priors, and the Brethren and Confriers of euery of them, and the ſucceſſors of euery of them, and all and euery other perſon or perſons of the ſaid Religion, and their ſucceſſors) all ſuch Right, Titles, Intereſt, poſſeſſion, Leaſes, Graunts, Annuities, Fees, Offices, Corodies, Reuerſions, Rents, and Seruices, Rent charges, Commons, Rights, Tithes, Actions, Petitions, Pentions, Portions, and all other Hereditaments, which they ſhould or ought to haue had, if this Act had neuer bene made. Other mens right ſaued.

32 As well the Queenes Maieſtie, her Heires and Succeſſors, as alſo all and euerie other perſon and perſons, bodies Politique and Corporat, their heires, ſucceſſors, and aſſignes, now hauing, or that hereafter ſhall haue any of the Scites of the late Monaſteries, or other Religious or Eccleſiaſticall Houſes, or Places, and the Manors, Graunges, Melluages, Lands, Tenements, Tithes, &c. and other Poſſeſſions and Hereditaments of the ſaid late Monaſteries, Abbeyes, Priories, Nunneries, Commaundries Deanries, Colledges, Prebends, Hoſpitals, Houſes of Friers, Rectories, Vicarages, Chauntries, Churches, Chappels, Archbiſhoprickes, Biſhoprickes, and other Religious and Eccleſiaſticall Houſes, or late belonging or appointed, to, and for the finding of Prieſts, Obites, Lights, or other like purpoſe, or any of them, which came to the hands of the late King H. 8. by Diſſolution, Gift, Graunt, Surrender, Attainder, or otherwiſe, or to the hands of K. Ed. 6. by vertue of the foreſaid Act made 1. Ed. 6. or otherwiſe, or to the hands and poſſeſſions of other perſons &c. by ſundrie meanes and aſſurances, ſhall haue, kæp, and enioy all and euerie the ſaid Scites, Lands, Tenements, and other Hereditaments, according to ſuch Eſtates, as euerie of them now haue, or hereafter ſhall haue in the ſame by the due courſe of the Lawes and Statutes of this Realm, now in force. And euerie Article, Clauſe, Sentence, and Prouiſo, contained in any Act or Acts of Parliament, concerning the aſſurance of the ſaid Monaſteries, Priories, Colledges, Chauntries, &c. and other Religious and Eccleſiaſticall Houſes and Places, or in any wiſe concerning any Manors, Lands, &c. or other things before ſpecified to the ſaid King H. 8. or King Ed. 6. or any other perſon or perſons, or bodies Politique or Corporat, and euery Writing, Deed, and Inſtrument, concerning the aſſurance of any of the ſame, ſhall remaine in force, and be pleaded and taken aduantage of, to all intents, as the ſame might or could haue bene by the Lawes and Statutes of this Realme. And all Feoffements, Fines, Surrenders, Forfeitures, Conueyances, and Intereſts in any wiſe conueyed or made to K. H. 8. or to K. Ed. 6. or either of them, or to any other perſon, bodie Politique or Corporat, by Deed, or Act of Parliament, or otherwiſe, of any the Scites, Manors, Lands, &c. or hereditaments of any of the ſaid Archbiſhops, Biſhops, Monaſteries, A confirmatiõ of all Abbies, Chauntries, & lands to the Queene and other perſons.

Priories, &c. or of any Manors, Lands, &c. or any other hereditaments, of, by, or from any Eccleſiaſticall perſon or perſons, or by, or from any Spirituall or Eccleſiaſticall corporation, or bodie politique, ſhall be good and auailable in the Law to all intents, and ſhalbe pleaded and taken aduantage of. And euerie clauſe and article of Sauing, contained in euerie of the ſaid Statutes, ſhall remaine in ſuch force and effect, as they were before the firſt day of the Parliament holden 1. & 2. P. & M. any thing contained in the Act then made (repealing all Statutes, Articles, and prouiſoes made againſt the See of Rome, ſince the 25. yere of K. H. 8.) in any wiſe notwithſtanding. And whoſoeuer ſhall by proceſſe obtained out of any Eccleſiaſticall Court within this Realme, or without, or by pretence of any Spiritual Juriſdiction, or otherwiſe, contrarie to the lawes of this Realme, moleſt any perſon, or bodie politique, for any of the lands, tenements, hereditaments, or other things aboue ſpecified, contrarie to the words, ſentence, and meaning of this Act, ſhal incurre the danger of the Act of Præmunire, made 16. R. 2. and ſhall ſuffer and incurre the forfeitures and paines contained in the ſame. 1. & 2. P. & M. 8. 1. El. 1.

Pentions due out of Abbey lands.

33 If any perſon or perſons being Farmer or Occupier of any Manor, Lands, Tenements, Parſonages, Benefices, or other Hereditaments, of any of the late Monaſteries or Eccleſiaſticall houſes or places belonging to them, or any of them, by the Kings gift, graunt, ſale, exchange, or otherwiſe, out of which premiſſes any portions, pentions, corodies, indemnities, ſinodals, or priories, or any other profits haue bæn heretofore lawfully going out, anſwered, or paid, to any of the Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſticall perſons of the Prouinces of Canterburie or Yorke, do at any time wilfully deny the paiment thereof, at the daies of paiment heretofore accuſtomed of any of the ſaid pentions, portions, corodies, indemnities, ſinodals, priories, or any other profits, whereof the ſaid Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſticall perſons were in poſſeſſion, at or within 1. yeres next before the diſſolution of any ſuch Monaſteries, or other Eccleſiaſticall houſes or places: Then it ſhalbe lawfull for the ſame Archbiſhops, Biſhops, Archdeacons, or other Eccleſiaſticall perſons, being ſo denied to bæ ſatiſfied and paied therof, and hauing right to the ſame thing in demand, to make ſuch proceſſe as well againſt euerie ſuch perſon and perſons, as ſhall denie paiment of the ſame pentions, portions, &c. or any other profits, which of right ought to be payd, as aforeſaid, as againſt the Church or Churches, charged with the ſame, as heretofore they haue lawfully done, and as, by, and according to the Lawes and Statutes of this Realme, they may now lawfully do for the true paiment and recouerie thereof. And if the partie defendant be lawfully conuict in any ſuch ſuit, cauſe, or matter, according to the Eccleſiaſticall Lawes: then the plaintife ſhall recouer againſt the defendant the thing in demand, and the value therof in damages, with his coſts for his ſuit. 34. H. 8. 19.

Suit at the Common law

34 If it fortune the cauſe or matter of variance betwæne any of the ſayd parties, bæ determinable at the Common Law, then the partie grieued to ſue for his recouerie & remedie therein at the Common Law: And if the defendant ſhall be by the courſe of the Common Law, lawfully condemned to the partie plaintife, then the ſaid plaintife ſhall likewiſe haue and recouer againſt the partie defendant the thing in demaund, and the value thereof in dammages, with his coſts for his ſuit. 34. H. 8. 19.

The K. granting to diſcharge the partie.

35 All and ſingular ſuch of the ſaid Archbiſhops, Biſhops, Archdeacons, and other Eccleſiaſticall perſons, which haue right or title to claime, demaund, or enioy any of the ſaid Pentions, Portions, Corodies, Indemnities, Sinodals, or Priories, againſt any perſon or perſons, to whom the King hath made, or hereafter ſhall make in writing vnder Seale, any Sale, Gift, Graunt, or Leaſe, for terme of life, or liues, or yeares, of any of the ſaid Manors, Lands, Tenements, Parſonages,

ges, Benefices, or Hereditaments, charged, or chargeable to or with any of the ſaid Pentions, Portions, or &c. and alſo hath couenanted, graunted, promiſed, or agreed, or hereafter ſhall couenant, graunt, promiſe, or agree, by the ſaid writing, to acquite, diſcharge, or ſaue harmeleſſe the ſame perſon or perſons, of all pentions, portions, corodies, indemnities, Dinodales, and priories going out of the premiſſes or any parcell thereof, as be or ſhalbe mentioned in the ſame writings, or any of them, ſhall ſue for their remedie and recouerie thereof in the Court of Augmentations, and not elſewhere: And the partie defendant hauing any ſuch diſcharge, being couented, called, or ſued in any other Court, or place, or before any other Iudge, for any the cauſes aboueſaid, ſhall be diſcharged and diſmiſſed out of the ſame Court, or place, without any thing paying for the ſame, by the onely ſhewing forth of the ſaid writings ſealed vnder any of the Kings ſeales, prouing or declaring the King to haue couenanted, promiſed, or agreed to acquite, diſcharge, or ſaue harmeleſſe the ſaid partie defendant thereof, as is aforeſaid. Any thing in this Act contained notwithſtanding. 34. H. 8. 19.

1 Religious perſons profeſſed, inabled to inherite, purchaſe, ſue, and to be ſued. S. Abilitie 3.

2 Thoſe Abbey lands, which were diſcharged of Tythes, ſhall ſo remayne. S. Tythes 40.

3 All Religious Houſes ſhall be within the viſitation of the Ordinarie, within whoſe Dioces they are ſcituat. S. Ordinarie 3.

4 For the Tenthes reſerued vpon Abbey lands, and the remedie for recouerie of them. S. Tenthes.

5 For Tenures reſerued vpon Abbey lands. S. Tenures 4. 5.

Money.

IF any perſon or perſons exchange any coyned Gold, coyned Siluer, or Money, giuing, paying, or receiuing any more in value, benefit, or aduantage for it, then the ſame is or ſhall be declared by the Kings proclamation to be currant for, within this Realme, or other his Graces dominions: Then the ſame coined gold, ſiluer, and money, ſhall be forfeit to the K. and I. that will ſeiſe or ſue for the ſame, to bee recouered by A. B. P. I. &c. wherein no W. E. P. &c. and the partie ſo offending, ſhall ſuffer impriſonment by the ſpace of a yeare, and alſo make fine at the K. pleaſure. 25. E. 3. 12. 5. E. 6. 19. Giuing or receiuing for money more then it is currant.

2 If any perſon inhabiting within this Realme, doth pay, or wittingly deliuer by way of exchange, or otherwiſe, to any Marchant or other perſon born out of the Kings obeyſance, for any marchandiſe, wares, or in any other wiſe any peeces of gold coined in this Realme, or any other Realme, or any plate, veſſels, maſſe, bullion, or Iuell of gold, wrought or vnwrought, he ſhall forfeit the double ſumme or value of all ſuch money, gold, plate, &c. to the K. and I. that will ſeiſe or ſue for the ſame, by A. B. &c. after the cuſtome of the Citie, Port, or Towne, where it ſhall happen any forfeiture to fall, or by information in the Exchequer, wherein no P. E. &c. 4. H. 7. 23. Paying of gold to a marchant Alien.

3 Whoſoeuer doth ſend or carrie out of the Realme of England, any gold, or ſiluer in money, bullion, plate, or veſſell, without the Kings licence (ſauing for his reaſonable expences 2. H. 4. 5.) ſhall forfeit the value of the ſame ſo carried forth. 9. Ed. 3. 1. 5. R. 2. 2. except ranſomes for fines of Engliſh priſoners taken beyond the ſea, and the money that Souldiers ſhall carrie with them for their reaſonable coſts, and money for horſes, oxen, ſheepe, and other things bought in Scotland, to be brought and carried to the parts adioyning: So that the money to bee ſent for the fines of the ſaid priſoners, or to bee carried by the Souldiers, bee not Transporting of gold or ſiluer.

done without the Kings licence. 2.H.6.6. And hee which is vpon his paſſage in any Ship or Veſſell, for to goe out of any Port, Hauen, or creeke, ſhall immediatly confeſſe and declare, after warning to him giuen by the Kings Searcher, what gold or ſiluer in coine or maſſe he hath with him for his expences, or elſe that money ſo concealed ſhall bee alſo forfeit to the King. 2.H.4.5. S. Cuſtomes 11. Marchants 9.

Money carried into Ireland.

4 No perſon ſhall carrie nor conuey, nor cauſe to be carried out of this Realme, any bullion, plate, or coyne of gold or ſiluer into Ireland, aboue the ſumme of vj.s. viij.d. nor conuey any ſuch bullion, plate, or coine, into any ſhip, boat, or other veſſels, vpon paine of forfeiture of the ſaid bullion, plate, or coyne, and of impriſonment, and fine at the K. pleaſure. 19.H.7.5.

Irish money brought into England.

5 No perſon ſhall bring or conuey, nor cauſe to be brought any coine of gold or ſiluer, aboue the ſumme of iij.s.iiij.d. of the coine of Ireland into this realm, vpon paine to forfeit all the ſaid coine aboue iij.s.iiij.d. and to haue impriſonment, and make fine at the K. pleaſure. And it is lawfull to any of the K. ſubiects, to ſeiſe the Irish money brought into this Realme, and to bring it to the K. Mint, and there he ſhall haue the value of halfe ſuch money deliuered to him, to his owne vſe, by the Maſter of the Mint. 19.H.7.5.

Refuſing ſmal money.

6 Whoſoeuer in buying and ſelling, wil preſume to refuſe a halfe penie, or farthing, being of lawfull mettal, and hauing the forme and faſhion which it ought to haue, ſhalbe taken as a contemner of the K. Maieſtie, ſhall be thruſt in priſon, and ſet vpon the pillorie. 12.H.3.

7 No ſtarling halfepeny, or farthing, no groat, or halfe groat, ſhall be molten by any perſon to make veſſell, or other thing thereof, vpon paine of forf. of the money ſo molten, and impriſonment vntill he hath paid the K. the one halfe of that he hath ſo molten. 9.E.3.3. 17.R.2.1.

8 Plate of gold and ſiluer ſhalbe receiued into the K. Mint by weight, and ſo ſhall the money be returned, and not by number. 25.E.3.20.

1 For the forging, clipping, waſhing, ſcaling, or bringing in of any forged mony. S. Treaſon 1.2.3.4.5.6.

Mortdaunceſter.

IF a man do die, and haue diuers heires, whereof one is ſonne or daughter, brother or ſiſter, nephew or neece, and the other be further in degree, al the heirs ſhal haue their recouerie by writ of Mortdaunceſter. Glouceſt. 6.E.1.6.

1 Where dammages ſhall bee recouered in Mortdaunceſter. S. Dammages 12.

2 Mortdaunceſter for the heire being wrongfully kept or put out of his inheritance by his chiefe Lord. S. Wards 9.

Mortmaine.

Lands purchaſed in Mortmaine.

IF any Religious perſon, or other perſon whatſoeuer, will buy or ſell any lands, or tenements, or will receiue the ſame by colour of any gift or leaſe, or by reaſon of any other title whatſoeuer, or will by other practiſe, or deuiſe, procure the ſame to himſelfe, whereby ſuch lands or tenements may come into Mortmain, he ſhal forf. the ſame lands. Magna Charta 9.H.3.37. 7.E.1. And if any Religious, or other Spirituall perſon doth take the profit of any lands, tenements, fees, aduowſons, or of any maner of poſſeſſions, whereof any other is ſeiſed by feoffement, or any other way to his vſe, to the intent to amortiſe the ſame, he ſhall forf. the ſame, according to the forme of the forezaid ſtat. 15.R.2.5.

Aſſurances of lands to vſes in Mortmain

2 It is lawfull for the K. or any other chiefe Lord of the fée immediate, to enter into the land so alienedwithin a yere after the alienation, and to hold in fée as his owne inheritance. And if the chiefe Lord be negligent, and will not enter into his fée within the yeare, then it is lawfull to the next immediate Lord of the same fée, to enter vpon the same fée within halfe a yeare then next following, and to hold it as aforesaid: And so euery chiefe Lord immediate may enter vpon the same, if the next immediate Lord be slacke in so doing. And if all the chiefe Lords of such fées, béeing of full age, within the foure Seas, and out of prison, be negligent or slacke in their entrie, by the space of a yeare and a halfe, the K. may take the same lands or tenements into his hands immediately after the yeares end that such purchases, gifts, or appropriations shalbe made, & shal enfeoffe some other therein, by certaine seruices to be done to him for the defence of the Realme: sauing to the chiefe Lords of the fées their wards, escheates, and other seruices, thereunto due and accustomed. 7. E. 1.

The chiefe lord may enter vpon alienation in Mortmain

The K. entry.

3 If any Religious person, Vicar, or other Spirituall person, do enter into any lands or tenements which be adioyning to his Church, and of the same lands, by sufferance and assent of the tenants, doth make a Churchyard and buriall place for his parish, without the licence of the K. & the chiefe Lord of the fée, it is Mortmaine, and he is within the compasse of the foresaid Stat. And so is it of all lands, tenements, and other possessions purchased to the vse of any Guilds or Fraternities. 15. R. 2.

Lands imploied to a churchyard, or giuen to a Guild.

4 If any Mayor, Bailife, and commons of any citie, borough, or town, which hath a perpetuall Comminaltie, or other which hath an office perpetuall, doe purchase to them and their Commons, or to them and their office, or if any other doe purchase to their vse, and they thereof take the profits, it is Mortmaine, and they are within the danger of the foresaid Stat. of 7. E. 1. 15. R. 2. 5.

Lands purchased to the vse of a Corporation.

5 If a Religious or Ecclesiasticall person doe implead any other, and the party impleaded maketh default, whereby he ought to lose the land, it shall be enquired by the countrey, whether the demandant had right in the thing he demanded or no: and if it be found that the demandant hath right, iudgement shall passe with him, and he shall recouer seisin. And if he hath no right, the land shall accrue to the next Lord of the fée, if he demand it within a yeare after the enquest taken. And if he doth not demand it within a yeare, it shall accrue to the next Lord aboue, if hee demand it within halfe a yeare, after the same yeare. And so euery Lord after the next Lord immediate, shall haue halfe a yeare to demand it successiuely, vntill it come to the King, to whom through the default of other Lords the land shall accrue. And after iudgement giuen, the land shall remaine in the Kings hand, vntill it be deraigned by the demaundant, or some other chiefe Lord. And euery chiefe Lord of the fée shall be admitted to challenge the Iurors of the Enquest, and euery one that will, may challenge them for the King. W. 2. 13. Edw. 1. 31. S. Challenge 12.

Mortmain vpon recouery by default.

Challenge.

6 All feoffements, fines, recoueries, wills, and other estates and assurances, deuised, couenanted, or dained, or in any wise made of trust, of any manors, lands, tenements, or hereditaments, to the vse of any parish churches, chappels, churchwardens, guilds, fraternities, or brotherhods, erected or made of deuotion, or by common assent of the people, without any corporation, or to the vses and intents to haue obites perpetuall, or a continuall seruice of a Priest for euer, or for 60. or 80. years, found of the profits of the same lands &c. or that the feoffées, conusées, recouerées, or other persons, & their heirs thereof seised shal take, leuie, or perceiue, or cause or suffer to be taken, leuied, or perceiued, the issues & profits thereof, & the same dispose or otherwise imploy, or suffer or cause to be paid, disposed or imployed to any of ỹ foresaid vses, or to any of the like vses, shalbe vtterly void. 23. H. 8. 10.

Assurance of lands to churches, &c.

7 But

Assurance of lands to Churches, &c. for xx. yeares.

7 But it is lawfull to euery person, being seized of any manors, lands, tenements, or hereditaments, to his owne proper vse, or hauing feoffées, recouerées, or conusées to his vse, to make, or daine, or deuise, or cause to be made, &c. any of the vses, intents, or purposes, aboue specified, in such manner as they might haue done before the making of this Act, so that no such vses, &c. be made or appointed to endure by any craft, words, or other meanes, aboue the terme of xx. yeares, next after the first making and beginning of any such vses &c. 23. H. 8. 10.

Collaterall assurances in defrauding of this Stat.

8 If any person or persons in defraud of this Statute, doth bind or ordaine any of their heires or successors, or any other persons, that they shall suffer such vses, intents, or purposes, to continue contrarie to this Statute, vpon paine of losse of any other lands, or of any other thing, or do deuise by any colour, craft, or means, any thing to make such vses, declared contrarie to the meaning of this Act, to continue for any longer time than is aboue limited for the same: Then euery such penaltie, craft, colour, and euery other thing that is made or deuised in defraud of this Act, shall be vtterly void: for this Statute shalbe interpreted as beneficially as may be, to the destruction & vtter auoiding of the vses aboue remembred, and of all other like (other than such as are before exprest.) 23. H. 8. 10.

Customes in cities to deuise in Mortmain.

9 But this Act is not preiudiciall to the custome of any Citie or towne corporat, where, by their auncient customes they haue authoritie to deuise their lands &c. within the same cities or townes into Mortmaine. Neither shall it be preiudiciall to the deuises made by the executors of the wills of R. Jannis, and J. Terrie of the citie of Norwich, &c. 23. H. 8. 10.

Lands giuen for the maintenãce of houses of correction, or of poore people stocks.

10 But notwithstanding any of the foresaid Statutes, or any other Statute, law, or custom, it is lawful for euery person which is seized of any manors, lands, tenements, or other hereditaments, in fée simple, in possession, reuersion, or remainder, holden in frée socage of the Quéene, or any other person or bodie politique in his owne right, and to his owne vse, for and during the space of twentie yeares (to be accompted from the eight of Feb. An. Dom. 1575.) to make feoffements, grants, or any other assurances, or by his last will in writing to giue and bequeath in fée simple, all or any part of the said lands, tenements, or hereditaments, to any body politique or corporat, & their successors, now erected, or hereafter to be erected, or to any other person or persons, and their heires, to and for the prouision, sustentation, or maintenance of any of the houses of correction, or abiding houses prouided for certaine offendors, or of any stockes or stores for poore people, without any licence of Mortmaine therein to be obtained, or any writ of Ad quod damnum, to be sued out for the same. But the rents and seruices due to the Lord and other chiefe Lords, of the fée, going out of the same lands, shall be to them saued and reserued. 18. El. 3. 35. El. 7. to continue till the end of the next Parliament now next ensuing. And it shall be lawfull for euery person, for and during the space of xx. years next ensuing, (viz. from 10. Aprilis, An. Dom. 1593) to make feoffements, graunts, or any other assurances, or by last will in writing, to giue & bequeath in fée simple, as well to the vse of the poore, as for the prouision, sustentation or maintenance of any house of correction, or abiding houses, or of any stockes or stores, all or any part of such his lands, tenements, and hereditaments, and in such manner and forme, as he might haue done, to, and for the prouision, sustentation, or maintenãce of any houses of correctiõ, or abiding houses, or of any stocks or stores by force of the statute of 18. El. 13. 35. El. 7. Quære.

S. 18. Ed. 3. pro Clero.

Mortmaine by erecting of Crosses, S. 13. Ed. 1. 33.

Mortuaries.

NO Mortuarie or Corse present, shal be giuen or demanded of any person, but onely in such place, where heretofore Mortuaries haue bene vsed to be paid and giuen: Nor any person shall pay Mortuaries in more places then one, that is to say, in the place of his most dwelling, and habitation, and there but one Mortuarie. 21. H. 8. 6. But one Mortuarie for any person and that but in accustomed place.

2 No Mortuarie shalbe taken or demaunded of any person whatsoeuer he be, which at the time of his death hath in moueable goods, vnder the value of tenne marks. 21. H. 8. 6. No Mortuarie where the goods be vnder x. markes.

3 No parson, Vicar, Curat, or other Spirituall person, nor any of their Farmers, Bailifes, or Lessees, shall for any person dying or dead, and being at the time of his death of the value in moueable goods of tenne markes or more, aboue his debts paid, and vnder the summe of iiii. li. take for a Mortuarie aboue iij. shillings foure pence in the whole. And for a person being at the time of his death of the value of thirtie li. aboue his debt paid in moueable goods, and vnder the value of xl. li. there shall no more be taken for a Mortuarie than fiue shillings eight pence in the whole. And for a person hauing at the time of his death of the value in moueable goods of fourtie pounds or aboue, to any summe, aboue his debts paid, there shall no more be taken &c. for a Mortuarie than tenne shillings in the whole. 21. H. 8. 6. The dutie for all Mortuaries.

4 No parson, Vicar, Curat, &c. or other, shall take, demaund, or aske, any Mortuarie or other thing by way of Mortuarie, for any woman being couert baron, nor for any child, or any person not keeping house, nor also for any wayfaring man, or other that maketh not residence in the place where they shall happen to die. But the Mortuarie of such wayfaring persons shall be answerable (in places where Mortuaries be accustomed to be paid, and in manner, forme, and rate before mentioned, and none otherwise) in the places where such wayfaring persons, at the time of their death, had their most habitation, house, and dwelling places, and no where els. 21. H. 8. 6. These shall pay no Mortuaries.

5 No Mortuaries nor Corse presents, nor any summe of money or other thing for them, shalbe demaunded or had in the parties of Wales, nor in the Marches of the same, nor in the towne of Berwicke, nor Marches of the same, but onely in such places where Mortuaries haue bene accustomed to be paid: Neither shall any mortuaries nor corse present, nor any thing for them be demaunded or had in those places, but onely after the order and manner aboue specified, & none otherwise, nor of any other person than aboue is limited. But it is lawful to ỹ Bishops of Bangor, Landaffe, Saint Dauid, and Saint Asse, and likewise to the Archdeacon of Chester, to take such Mortuaries of the Priests within their dioces and iurisdictions, as heretofore haue bin accustomed. 21. H. 8. 6. Mortuaries in Wales, Berwick, & the Marches of them.

6 No person shall be compelled in such places (where mortuaries haue bin accustomed to be taken, of lesse value than is aforesaid) to pay any other mortuaries, or more for any mortuarie than hath bin accustomed: Nor any mortuarie shall be demanded, taken, or had, in such place, of any person or persons exempt by this act, nor contrarie to this Act. 21. H. 8. 6. Mortuaries of lesse value by custome.

7 If any Parson, Vicar, Curat, or other Spirituall person, or their Farmers, Bailifs, or Lessees, do take, receiue, or demand, of any person whithin this realme, for any person dying within the same, any mortuarie or corse present, or any summe of money, or any other thing for the same, more than is before mentioned, or doe conuent, or call any person or persons before any Iudge Spirituall, for the recouerie of any such mortuaries or corse presents, or any other thing for the same, The forfeit for demanding more than his dutie.

ſame, more than is before mentioned, he ſhal forfeit for euery time ſo demanding, receiuing, taking, conuenting, or calling, &c. ſo much in value, as he ſhall take aboue the ſumme before limited, and alſo rl. s. to the partie grieued, contrarie to this Act, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. But it is lawfull for any Spirituall perſon to take any ſumme of money, or other thing, which by any perſon dying ſhall be giuen or bequeathed to him, or to the high Altar of ỹ church. 21. H. 8. 6.

Illegacie giuen to a Spirituall perſon.

1 Where Mortuaries be demanded in a Spirituall Court, the Kings prohibition doth not lie. S. Prohibition 1.

2 Fraudulent deedes to defeat other of their Mortuaries be void. S. Fraudulent &c. 1.

Multiplication.

NOne from henceforth ſhall vſe to multiplie gold or ſiluer, nor vſe the craft of multiplication, and if any the ſame doe, he ſhall incurre the paine of felonie in this caſe. 5. H. 4. 4.

Murder and Manſlaughter.

Eſcape of a Murderer.

IF any perſon be murdered or ſlaine in the day, and the murderer eſcape vntaken, the Towneſhip where the ſaid deed is done ſhall be amerced for the ſaid eſcape. 3. H. 7. 1.

Murderer arraigned at the K. ſuit.

2 If any man be ſlaine or murdered, and the ſlears, murderers, abbettors, maintainers, and comforters of the ſame be indicted therefore, the ſame ſlears and murderers, and all other acceſſaries of the ſame, ſhall be arraigned and determined of the ſame felonie and murder at any time at the K. ſuit, within the yeare after the ſame felonie and murder done, and not tarrie the yeare and day for any appeale to be taken for the ſame felonie or murder. 3. H. 7. 1.

Arraignement of him, which is acquit at the K. ſuit.

3 If any perſon ſo named as principall or acceſſarie, be acquited of any ſuch murder at the K. ſuit within the yeare and day, then the Juſtices before whom he is acquited, ſhall not ſuffer him to goe at large, but either ſhall remit him againe to priſon, or elſe let him to baile after their diſcretion, till the yeare and day bee paſſed. And if the ſame felons, murderers, and acceſſaries, or any of them ſo arraigned, be acquited, or the principall of the ſaid felonie, or any of them be attainted, The wife, or next heire to him ſo ſlaine as caſe ſhall require, may take their appeale of the ſame death and murder, within the yeare and day after the ſame felonie and murder done, againſt the ſaid perſon ſo arraigned and acquit, and al other their acceſſaries, or againſt the acceſſaries of the ſaid principall, or any of them ſo attainted, or againſt the ſaid principals ſo attainted, if they be then liuing, and the benefit of the Clergie thereof before not had. And the appealant ſhall haue ſuch aduantages, as if the ſaid acquitall and attainder had not beene, the ſaid acquitall or attainder notwithſtanding. 3. H. 7. 1.

within what time, & before whom, appeal of murder ſhal be commenced

4 The wife or heire of the perſon ſo ſlaine or murdered, as caſe ſhall require, may commence their appeale in proper perſon, at any time within the yeare after the felonie done, before the Shirife & Corroners of the Countie where the ſaid felonie and murder was done, or before the K. in his Bench, or Juſtices of gaole deliuerie. 3. H. 7. 1.

Poyſoning.

5 All wilfull killing by poyſoning of any perſon, is wilfull murder of malice prepenſed, and the offenders, their aidors, abbettors, procurors, and counſellors, ſhall ſuffer death, and forf. as in caſes of wilfull murder of malice prepenſed. 1. Ed. 6. 12.

6 It ſhall not be adiudged Murder, where an act is done by miſfortune: But Murder ſhall be intended of them which be feloniouſly ſlaine. Marlb. 52. Hen. tertij. 26. Miſfortune.

7 Euery perſon and perſons, which ſhal ſtabbe or thruſt any perſon or perſons that hath not then any weapon drawne, or that hath not then firſt ſtriken the partie which ſhall ſo ſtabbe, or thruſt, ſo as the ſame perſon or perſons ſo ſtabbed or thruſt, ſhall thereof die within the ſpace of fiue moneths then nert following, although it cannot be proued that the ſame was done of malice forethought: yet the partie ſo offending, and being thereof conuicted by verdict of twelue men, confeſſion, or otherwiſe, according to the lawes of this Realme, ſhall be excluded from the benefit of his or their Clergie, and ſuffer death as in caſe of wilfull Murder. 1. Iacob. 8. Stabbing to death.

8 Prouided alwaies, that this Act ſhall not extend to any perſon or perſons, which ſhall kill any perſon or perſons, ſe defendendo, or by miſfortune, or in any other maner, than as is aforeſaid, nor ſhall extend to any perſon or perſons, which in keeping and preſeruing the peace, ſhall chaunce to commit manſlaughter, ſo as the ſaid manſlaughter be not committed willingly and of purpoſe, vnder pretext & colour of keeping the peace: Nor ſhall extend to any perſon or perſons which in chaſtening or correcting his child or ſeruant, ſhal beſides his or their intent or purpoſe, chance to commit manſlaughter. 1. Iac. 8. To continue vntill the end of the firſt Seſſion of the nert Parliament. Se defendendo. Miſfortune. Keeping peace. Correcting.

1 Appeale of Murder may be commenced in one Countie, of the death of any perſon ſtriken or poyſoned in any other Countie. S. Triall 1.

2 The declaration in appeale of Murder, and within what time it ſhall be ſued. S. Appeale 2.

3 Where murder ſhall be tried by ſpeciall commiſſion. S. Treaſon 9.

4 The killing of the Chancelor, Treaſurer, or any Iudge &c. ſitting in his place, is high Treaſon. S. Treaſon 1.

5 It is not lawful to ſlay any perſon attainted in Præmunire. S. Præmunire 6.

6 The Appellant in appeale of Murder where battaile lieth not, may make an Atturney. S. Atturney 5.

7 In what ſort Coroners ſhall enquire of Murder, and attach the offendors. S. Coroners 2. 3. 4.

8 In what caſe forreſters may ſlay offendors. S. Forreſts 4.

Newes.

WHoſoeuer doth contriue, ſpeake, or tell any falſe or counterfeit newes, whereof diſcord, or matter, or cauſe of diſcord or ſlander may ariſe betweene the King and his Noble men, or people: Or any falſe newes, lies, or other ſuch falſe things of Prelates, Dukes, Earles, Barons, and other Nobles and Peeres of the Realme, or of the Chancelor, Treaſorer, Clerke of the priuie Seale, Steward of the Kings houſe, Iuſtices of the one bench or of the other, or of any great Officer of the Realme, whereof diſcord or ſlander may ariſe within ỹ realm, ſhall be taken and impriſoned, vntill he hath brought forth him which did ſpeake the ſame. And when he is taken and impriſoned, and cannot find him which ſpake the words, then he ſhall be puniſhed by the aduiſe of the Councell. Weſt. 1. 3. Ed. 1. 33. 2. R. 2. 5. 12. R. 2. 11. 1. and 2. P. and M. 3. Newes to breed diſcord. Newes of the Peeres or great officers.

2 Whoſoeuer ſhall be preaching, teaching, writing, or open ſpeech notifie, that any eating of fiſh, or forbearing of fleſh, mentioned in the ſtatute for thoſe caſes prouided, is of any neceſſitie for the ſauing of the ſoule of man, or that it is the ſeruice of God, otherwiſe than as other politique lawes be, ſhal be puniſhed as ſpreaders Newes concerning eating of fiſh, or forbearing of fleſh.

ders of falſe newes are, and ought to be. 5. El. 5. 1. Iac. 25. to continue to the end of the firſt Seſſion of the next Parliament.

Niſi prius.

Juſtices of Niſi prius.

TWo Juſtices ſworne ſhalbe aſſigned, before whom, & none other, Aſſiſes of Nouel diſſ. Mortd', & Attaints, ſhalbe taken: And they ſhall aſſociat with thē two or one of the diſcreteſt Knights of the ſhire into which they ſhall come, & ſhall take the foreſaid All. & Attaints but thrice in the yere at the moſt, viz. &c. And in euerie ſhire, at euery taking of Aſſiſes, before their departure, they ſhall appoint ỹ day of their returne, ſo that euery one of the ſhire may know of their comming. And they ſhall adiourne the Aſſiſes from terme to terme, if the taking of them bee deferred at any day by vouching to warrantie, by Eſſoyne, or by default of Iurors. And if they perceiue it conuenient for any cauſe that All. of Mortd. being reſpited by Eſſoine, or Voucher, ought to be adiourned into the bench, it ſhalbe lawfull for them to doe it: and then they ſhal ſend the Record with the Original writ before the J. of the bench. And when the ſuit is come to the taking of the Aſſiſe, the J. of the bench ſhall remaund the ſame to the firſt Juſt. before whom the All. ſhall be taken. But from henceforth the J. of the Bench in ſuch Aſſiſes ſhall giue foure daies at the leaſt in the yeare, before the ſaid Juſt. aſſigned to ſpare expence and labour. Inquiſitions of treſpaſſe ſhalbe determined before the Juſt. of both benches, except the treſpaſſe be ſo hainous, that it ſhal require great examination. Inquiſitions alſo of other pleas pleaded in either of the benches, ſhall be determined before them, wherein ſmall examination is required: as when the entrie or ſeiſin of any is denied, or in caſe when one article is to be inquired. But Inquiſitions of many and great articles (the which require great examination) ſhalbe taken before the Juſt. of the bench, except that both parties deſire that the inquiſition may be taken before ſome of the Aſſociats, when they come into thoſe parts: So that from henceforth it ſhall not be done but by two Juſtices, or one, with ſome knight of the ſhire, vpon whom the parties can agrée. And ſuch inquiſitions ſhal not be determined before any Juſt. of the bench, vnleſſe a day and place certaine be appointed in the Countie, in the preſence of the parties. And the day and place ſhall be mentioned in a iudiciall writ, by theſe words, Præcipimus tibi quod venire facias coram Iuſticiarijs noſtris apud Weſtmonaſt. in Octab. Sancti Michaelis (niſi talis & talis, tali die & loco ad partes illas prius venerint) duodecim &c. And when ſuch Enqueſts be taken, they ſhall be returned into the bench, and there ſhall iudgement be giuen and inrolled. And if any Inquiſitions be taken otherwiſe, then after this forme they ſhal be of no effect, Except that aſſiſes of Darrein preſentment, and Inquiſitions vpon a Quare impedit ſhalbe determined in their owne Countie, before one Juſtice of the bench, and one Knight, at a day and place certaine aſſigned in the bench, whether the defendant conſent or not, & there the iudgement ſhall be preſently giuen. All Juſtices of the Benches ſhall haue in their circuits Clerks, to inroll all pleas pleaded before them, like as they haue vſed in times paſt. 13. Ed. 1. 30. 12. Ed. 2. 4.

Trial of ſmal cauſes.

Trial of great cauſes.

The forme of the writ of Niſi prius.

Darr preſent. Quare imped.

Clerks of Aſſiſe.

2 Enqueſts and Recogniſances depending before the Juſtices of both the Benches, ſhalbe taken in the time of vacation by any of the Juſt. before whom the ſuit is commenced, béeing aſſociat to one Knight of the ſame Countie where ſuch Enqueſts ſhalbe taken, vnleſſe it be an inquiſition that requireth great examination. And ſo in taking ſuch enqueſts, the Juſtices ſhall doe as they ſhall thinke expedient for the benefit of the Realme. 27. Ed. 1. 4. Enqueſts and Juries to be taken in pleas of land, that requireth not great examination ſhall be taken in the Countrey before a Juſtice of the place where the plea is, with a ſubſtantiall man

Niſi prius before the J. of the ſame court

Granting of Niſi prius in the Juſtices diſcretion.

Niſi prius in plea of land.

of

of the Countie, Knight, or other, So that a certaine day be giuen in the bench, and a certaine day and place in the Country in the preſence of the parties demanding the ſame. And alſo Enqueſts and Iuries in pleas of land that require great examination, ſhall be taken in the Countrie (in maner aboueſaid) before two Juſt. of the Bench. 12. Ed. 2. 3. And all ſuch Enqueſts which are to be taken in plea of land ſhall be taken aſwell at the requeſt of the tenant as of the demandant. 2. E. 3. 16.

Niſi prius at the demãdant or tenants requeſt.

Niſi prius may be granted as well before any Iuſtice of another Court (viz. of the Kings bench, Common pleas, or chiefe Baron of the Exchequer, being a man of the law, or the Kings ſeriant ſworne) as before any Juſt. of the ſame Court where the ſuit dependeth: And they may giue iudgement vpon verdicts in Aſſiſe of Darr preſentment, and Quare impedit, and vpon nonſuits and defaults. 14. Ed. 3. 16.

The authoritie of Juſt. of Niſi prius.

3 The Iuſtices of Aſſiſe of Niſi prius, ſhall haue power to record Nonſuits, and defaults in the Countrey, at the daies and places aſſigned, as is aforeſaid, And what they ſhall doe, ſhalbe certified into the Bench at a day certaine, there to be inrolled, and thereupon iudgement ſhalbe giuen. And if it happen, that the Iuſtice or Iuſtices aſſigned to take ſuch Enqueſts in the countrey, doe not come, or if they come into the countrey at the day aſſigned, yet the parties, and perſons of ſuch Enqueſts, ſhall keepe their day in the Bench. 12. Ed. 2. 4.

Triall of iſſues ioyned in the Chancerie, &c. by Niſi prius in weſtminſter hall.

4 The chiefe Iuſtice of England for the time being, vpon iſſues ioyned, or to be ioyned in the Court called the Kings Bench, or in the Court of Chauncerie: The chiefe Iuſtice of the common pleas for the time being, vpon iſſues ioyned, or to be ioyned in the Court of Common pleas: And the chiefe Baron of the Exchequer for the time being, vpon iſſues ioyned, or to be ioyned in the Court of Exchequer, or in the abſence or default of any of them, two other Iudges or Barons of the ſame ſeuerall Courts where it ſhall happen either of the ſame chiefe Iuſtices, or the chiefe Baron, for the time being, to be abſent, ſhall, or may at their diſcretions, within Weſtminſter Hall in Weſtminſter, or in the place where the court of Exchequer is commonly kept, in the Countie of Middleſex, as Iuſtices of Niſi prius, for the ſaid Countie of Middleſex, within the terme time, or within 4. daies next after the end of euery, or any terme, ſeuerally trie all manner of iſſues ioyned, or to be ioyned in any of the ſaid ſeuerall Courts, which by the ordinarie courſe of the lawes of this Realme, ought to be tried in any of the ſaid Courts, by an Enqueſt of the ſaid Countie of Middleſex. And commiſſions and writs of Niſi prius ſhalbe awarded in ſuch caſes, and in ſuch forme as they are, or haue bin vſed in any other Shire of this realme. 18. El. 11.

Niſi prius ſhall forth.

5 It ſhall be lawfull for any perſon or perſons, vpon reaſonable warning giuen to the aduerſe partie, to his or their Atturney, as hath bene accuſtomed in ſuch like caſes, to take or ſue forth writs and records of Niſi prius, for the triall of the ſaid iſſues in the ſaid Countie of Middleſex, as they may doe vpon any iſſue ioyned, triable in any other Countie, and thereupon take the Iurie in ſuch maner and forme, and with awarding of Tales de circumſtantibus, and awarding ỹ nonſuit, as is vſed for the triall of iſſues ioyned, or nonſuits to be awarded in the ſaid Courts, or any of them, triable within the citie of London, or within any other countie of this Realme of England. 18. El. 11.

Shirifes attendance.

6 The Shirifes of the ſaid countie of Middleſex, for the time being, ſhal make returne of all writs of Niſi prius, which ſhall be deliuered to them, or to their, or any of their ſufficient deputie for the time being, before the ſaid Iudges, Baron, or Barons, and euery of them, and ſhal giue their attendance vpon the ſaid Iuſtices, Baron, and Barons, as well for the returning of ſuch Tales as ſhal be praied de circumſtantibus, for the trying of the ſaid iſſues, as for the doing and executing of all other thing and things to the office of the Shirife in ſuch caſe belonging, or appertaining. 18. El. 11.

Iurors, Parties, Witnesses.

7 And all persons to be impanelled in such Iuries, and the parties to the same issues and suits, and the witnesses for the same, shalbe charged and bound, in such and the like sort, vpon the like paines and penalties, for their not appearance and attendance, or for their or any of their misdemeanor or default, before the said Iustices of Nisi prius, as they should haue bin, if the same issue had bin tried in the Court, from whence the Nisi prius thereof was awarded: All which seuerall trials so to be had, before the said seuerall Iustices, Baron or Barons, shall stand and be as good and availeable in law, as if the same had bin tried in the terme time at the barre in the Court where such issue was ioyned or triable: any law &c. notwithstanding. 18. El. 11.

1 That Nisi prius shalbe granted in Attaint. S. Attaint 12. S. 7. R. 2.

Nonsuit.

IF in Assise of Nouel diss. Mortdaunces. or any other action, the verdict passe against the plaintife, he shall not be nonsuit. 2. H. 4. 7.

1 The penaltie if in certaine cases the plaintife be nonsuit. S. Dammages 1. 6.

Nontenure.

BY exception of Nontenure of parcell, no writ shalbe abated but for the quantitie of Nontenure which is alleadged. 25. Ed. 3. 16.

1 Exception to a fine that the parties to the same had nothing in the land. See Fines 8.

Nusance.

ALl writs of Nusance called Vicountels shall be made at the election of the plaintife, in the nature of old times vsed, or els in the nature of Assises determinable before the K. Iust. of the one bench or the other, or before I. of Assise in the Countie &c. 6. R. 2. 3. And a writ shall be graunted against him which hath leuied a house, wall, or market, And if the house, wall, or market, be altered to another, the same writ shalbe graunted. West. 2. 13. Ed. 1. 24.

Office, Inquisition.

Other mens interests saued though they be not found by office.

IF any Offices or Inquisitions be found before Escheators, Commissioners, or others, containing tenure of the K. in Capite, intituling his grace to the Wardship or custodie of any lands, tenements, or hereditaments, or intituling him to the same, vpon attainders of treason, or felonie, or otherwise, whereas any other person or persons doe hold the same lands, &c. for terme of yeares, or by copie of Court roll, or doe enioy any rent, common, office, fee, or other profit apprender, of any estate of free hold, for yeares, or otherwise, out of such lands &c. specified in such offices, though in such offices, such titles, interests, or matters, shall bee omitted and not found: Yet euery lessee, tenant for yeares, or copiholder, and euery such person and persons that haue any interest to any rent, common, or profit apprender, for the terme of yeares, life, or otherwise, out of the lands &c. contained in such office or inquisition, where the King shalbe intituled to the same, shall haue, enioy, and perceiue all and euery their leases and interests for terme of yeares, or by copy of Court roll, rents, commons, offices, fees, and profit apprender, in such maner and condition, as euery of them should or might haue done, in case there had beene no such office found, and as such lease, interest by copie of Court roll, common,

mon, office, fée, or profit apprender had bene found in ſuch office. 2. Ed. 6. 8. See Wards 17.

*2 If a Jurie that ſhall be ſworne before any Eſcheator or Commiſſioner, to inquire of lands, &c. doe not receiue the counterpaine of the office or inquiſition that by them ſhall be preſented, indented and ſealed by the Eſcheator or Commiſſioner, and the ſame deliuer and ſuffer to reſt in the poſſeſſion of the firſt perſon that ſhall be ſworne in the ſaid Jurie, to the intent that the Eſcheator or Commiſſioner may not change or imbezile the ſaid office, euery of the ſaid Jurie ſhall forf. xx. s. 1. H. 8. 8. 3. H. 8. 2. The counterpaine of an office ſhall remain with the firſt man of the Jurie.

3 If the lands and tenements whereof any inquiſition is to be had by vertue of any writ or commiſſion, exceed the value of v. l. by the yeare, then ſuch as ſue for ſuch writs or commiſſions, ſhall pay for the ſeale and writing thereof ſuch fées as haue bene accuſtomed. And if the lands and tenements whereof any inquiſition and office is to be found by vertue of any writ or commiſſion, exceed not the ſaid yearely value of v. l. Then ſuch as ſhall ſue for ſuch writ or commiſſions, ſhall pay for the ſeale of euery of them vj. d. and not aboue. 33. H. 8. 22. The fées of writs or commiſſions.

4 If the officer of a Court of Record, where an inquiſition of land not exceeding the yearely value of fiue pounds, ſhalbe returned, being offered vnto him, within one moneth next after the finding thereof, doe not receiue the ſame, he ſhal forfeit v. l. to the K. and J. to be recouered by A. J. &c. wherin no W. E. P. &c. 33. H. 8. 22. Receiuing an office certified

5 If the Clerke of the petit bagge of the Chauncerie, or his deputie, or any officer of the Exchequer, hauing authoritie to receiue any offices or inquiſitions to whoſe hands an office or inquiſition ſhall come, which ought to be returned into ỹ Chauncerie or Exchequer, will not receiue the ſame, and put it on the file to remaine of record, within three daies after it be receiued or offered to him, he ſhall forfeit xl. l. 1. H. 8. 8. 3. H. 8. 2. In office receiued within three daies.

6 The Clerkes of the petit Bagge in the Chauncerie, ſhall certifie the tranſcript of all offices found and returned into the Chauncerie, betweene Eaſter and S. Michael, into the Exchequer, in the terme of S. Michael. And the tranſcript of all offices found and returned into the Chauncerie, betweene Michaelmas & Eaſter, they ſhall certifie yearely in the terme of Eaſter, and otherwiſe they ſhall not certifie. And alſo they ſhall certifie the tranſcript of all Offices into the Court of Wards and Liueries, in like maner and forme, as they are bound to doe into the Exchequer. 33. H. 8. 22. Which certificats they ſhall make in forme aforeſaid, vpon paine to forf. for euery default 100. s. to the K. and J. to be recouered by Action of debt, wherein no W. &c. E. P. &c. 1. H. 8. 8. 3. H. 8. 2. 33. H. 8. 22. Tranſcript of offices.

7 All Inquiſitions and Offices found before any Eſcheator or Commiſſioner by vertue of any writs or commiſſion, or otherwiſe, within the Counties Palantines of the Dutchy of Lancaſter, Cheſter, and Dureſme, or any of them ſhalbe returned by the ſaid Eſcheators and Commiſſioners, within one moneth next after the taking thereof, into ſuch places and offices, as heretofore they haue bene accuſtomed to be returned into, vpon paine to forf. for euery default xl. l. to the Du. And the Clerke of the Dutchie of Lancaſter, the Vicechancelor of Cheſter, and the Chauncelor of the Countie Palantine of Dureſme, or other Officers within the ſaid Counties Palantines, or their Deputies, and euery of them, hauing authoritie to receiue any ſuch Office, or Inquiſition, to whoſe hands the ſame ſhall come, ſhall certifie, or cauſe to be certified vnder his or their hands in Parchment, the true tranſcript of euery ſuch office or inquiſition, taken before any of the ſaid Eſcheators or Commiſſioners vnto the Maſter of the Court of Wards and Liueries, in ſuch like manner, as is appointed to the Clerkes of the Petit Bagge in the Chauncerie to tranſcript the ſame, vpon paine to forfeit for Offices in Lancaſter, Cheſter, Dureſme.

euery ſuch default v.l. to the D. which tranſcript ſhall there remaine of record, in like maner as the tranſcripts of other Offices already certified into the ſame court by the Clerks of the petit bagge are vſed. 18. El. 12.

1 Where a Melius inquirendum ſhall bee awarded vpon an office vncertainely found. S. Tenures 4.

2 For the manner of finding of offices, and returning them. S. Eſcheators 2. 4. 7. 9. 10.

3 Where and in what caſes, any perſon may be allowed to trauerſe an office. S. Trauerſe 1. 2. 3.

4 The lands, goods, &c. of any perſon attainted of Treaſon, ſhall be in the K. without office found of the ſame. S. Treaſon 14.

Offices and Officers.

None ſhall obtain offices by ſuit or reward.

THe Chancelor of England, Treaſorer, Keper of the priuie Seale, Steward of the Kings houſe, the Kings Chamberlaine, Maſter of the Rolles, the Juſtices of the one Bench, and the other, Barons of the Erchequer, and all other that ſhall be called to ordaine, name, or make Juſtices of Peace, Shiriffes, Eſcheators, Cuſtomers, Comptrollers, or any other Officers or miniſters of the Kings, ſhall be ſworne, that they ſhall not ordaine, name, or make, any of the forſaid officers, or any other officers or miniſters of the Kings for any gift or bycage, fauour or affection: Nor that any which laboureth by himſelfe or by other priuily or openly, to be in any office, ſhalbe put in the ſame office or in any other. But they ſhall make all ſuch officers and miniſters of the beſt and moſt lawfull and ſufficient men to their eſtimation and knowledge. 12. R. 2. 2.

Officers of the K. courts.

2 All Officers made by the Kings letters patents, within his Courts, which haue authoritie by vertue of their offices of old time accuſtomed, to make or appoint Clerks and miniſters within the ſame Courts, ſhall be charged and ſworne to appoint and make ſuch clerks and miniſters, for whom they will anſwere at their perill, which be ſufficient, faithfull, and readie to attend to that which pertaineth to their charge, aſwel touching the K. ſeruice, as the buſineſſe of all ỹ common people. 2. H. 6. 10.

Officers remooueable.

3 No Cuſtomer, Comptroller, Searcher, Wayer, Finder, Aulneger, Gauger, Collector of Cuſtomes or Subſidies, ſhall haue any eſtate in his Office, for terme of life, or yeares, but the ſaid Offices ſhall remaine in the Kings hands, vnder the gouernance and direction of the Treaſorer of England (with the aſſent of the Councell if need be.) And no letters patents ſhall be made of any of the ſaid offices, but by warrant and bil aſſigned by the Treaſorer, ſent into the Chauncerie. And if any letters patents ſhall be made by any other warrant or bill, they ſhalbe void. 14. R. 2. 10. 17. R. 2. 5. 1. H. 4. 13. 31. H. 6. 5.

Buying and ſelling of offices.

4 If any perſon or perſons doe bargaine or ſell any office or offices, or Deputation of any office or offices, or any part of any of them, or receiue, haue, or take, any money, fee, reward, or any other profit directly or indirectly, or take any promiſe, couenant, bond, agreement, or any aſſurance to receiue or haue any money for reward, or other profit, directly or indirectly, for any office or offices, or for the deputation of any office or offices, or any part of any of them, or to the intent that any perſon ſhould haue, exerciſe, or enioy any office or offices, or the deputation of any office, or any part of any of them, which office or offices, or any part of them, ſhall in any wiſe touch or concerne the adminiſtration or execution of Juſtice, or the receipt, controlment, or paiment of any of the Kings treaſure, money, rent, reuenue, accompt, aulnage, auditorſhip, or ſurueying of any of the Kings lands, woods, or hereditaments, or any of the Kings cuſtomes, or any adminiſtration or

neceſſa-

neceſſary attendance to be done in any of the Kings cuſtom houſes, or the keping of any of the Kings Townes, Caſtles, or Fortreſſes, being vſed or appointed for a place of ſtrength and defence, or which ſhall concerne or touch any Clerkſhip to be occupied in any Court of Record, wherein Juſtice is to be miniſtred: Then all and euery ſuch perſon and perſons, that ſhall ſo bargaine or ſell any of the ſaid office or offices, deputation or deputations, or that ſhal take any money, fee, reward, or profit for any of the ſaid office or offices, deputation or deputations, or any part of any of them, or that ſhall take any promiſe, couenant, bond, or aſſurance, for any money, reward, or profit, to be giuen for any of the ſaid office or &c. ſhall loſe all his right, intereſt, and eſtate, which he ſhall then haue, of, in, or to any of the ſaid offices or deputations, or any part of any of them, or of, in, or to the gift or nomination of any of the ſaid offices or deputations, for which offices or deputations, or any part of any of them, any ſuch perſons ſhall make any bargaine or ſale, or take any money, fee, reward, or profit, or any promiſe, couenant, or aſſurance, to haue or receiue any fee, reward, money, or profit. And alſo euery ſuch perſon that ſhall giue or pay any money, fee, or reward, or ſhall make any promiſe, agreement, bond, or aſſurance, for any of the ſaid offices or deputations, or any part of any of them, ſhal immediatly, by and vpon the ſame fee, money, or reward, giuen or paid, or vpon any ſuch promiſe, couenant, bond, or agreement, had or made, for any fee, ſumme of money, or reward, to be paid, as is aforeſaid, be adiudged a diſabled perſon in the law to all intents, to haue, occupie, or enioy, the ſaid offices or deputations, or any part of any of them, for the which ſuch perſon ſhall ſo giue or pay, or make any couenant, bond, or promiſe, &c. to pay any ſumme of money, fee, or reward. And all and euery ſuch bargaines, ſales, promiſes, bonds, agreements, couenants, and aſſurances as be before ſpecified, ſhalbe void, to and againſt him and them by whom they ſhalbe had or made. 5. E. 6. 16.

5 But this ſtatute extendeth not to any office or offices, whereof any perſon or perſons is or ſhalbe ſeized of any eſtate of inheritance, nor to any office of parkerſhip or of the keping of any houſe, manor, gardein, parke, chaſe or forreſt: Neither doth it extend, or is preiudiciall to any of the chiefe Juſtices of the K. Bench, or Common pleas, or to any of the Juſtices of Aſſiſe, But euery of the ſaid Juſtices may doe in euery behalfe touching any Office or Offices to be giuen or granted by them, or any of them, as they or any of them might haue done before &c. 5. Ed. 6. 16. Offices whereunto the ſtatute extendeth not.

6 If any perſon or perſons doe offend in any thing, contrarie to the tenor and effect of this Act, yet that notwithſtanding, all iudgements giuen, and all other Act or Acts, executed or done, by any ſuch perſon or perſons ſo offending, by authoritie, or colour of the Office or Deputation, which ought to be forf. or not occupied, or not enioyed by the perſon ſo offending, as is aforeſaid, after ỳ ſaid offence ſo by ſuch perſon committed, or done, and before ſuch perſon ſo offending, for the ſame offence be remoued from the exerciſe, adminiſtration, and occupation of the ſaid office or Deputation, ſhall be and remaine good and ſufficient in law, to all intents and purpoſes, in ſuch like manner and forme, as the ſame ſhould and ought to haue remained and bene, if this act had neuer bene had or made. 5. Ed. 6. 16. Acts done by an Officer remoueable.

7 If any of the Officers appointed for the Court of Wardes and Liueries, doe conceale or withdrawe willingly any rents, caſualties, or other profits, comming to the King by the minoritie of any of his Wards, or by reaſon of any thing appointed to be within the order of the Court of Wards and Liueries: then they ſo offending, ſhal loſe to the King the double value of the thing concealed, or withdrawne. 32. H. 8. 46. And if the Surueyor or Clerke of the Liueries, doe willingly withdraw or conceale any record or profit that ſhould grow to the King &c. Officers withdrawing the K. rents.

by reaſon of the ſame, thē he ſhall loſe to the King &c. the double value of the thing ſo concealed or withdrawne, to be leuied and recouered againſt the offendor, vpon an information made by the partie grieued, & the ſame duely proued in the Court of Wards and Liueries. 33. H. 8. 22.

1 Where Officers by reaſon of their Offices may exhibit Informations. S. Actions popular 12.

2 How Officers of the Kings ſhall be puniſhed, which by colour of their Offices doe diſſeiſe any man. S. Aſſiſe 4.

3 The forf. of officers of the Kings Bench, or Common Place, for falſe entries in certaine caſes. S. Apparance 1.

4 Where Commiſſions ſhall be awarded to enquire of concealement of officers accountable in the Exchequer. S. Account to the K. 53.

5 The Kings officers ſhall not be vnlawfully retained with any other, nor ſuffer any of his tenants to be retained. S. Liueries. 7.

Oyle.

Searching of oyle in London.

THe Mayor of London, with the Maſter and Wardens of the Myſterie of Tallow Chaundlers of the ſame Citie, haue authoritie to ſearch all manner of Oyles brought into the ſaid Citie to be ſold, in whoſe hands ſoeuer they ſhalbe found, as often as the caſe ſhall require: And they ſhall ouerſee that the ſame oyles put to ſale, bee not mixt or altered from their right kinds, but that they be good and lawfull, as they ought to be. And it is lawfull for the ſaid Maior, with the ſaid maſter and wardens, to damne, auoid, and vtterly to caſt away al ſuch Oyles as they find defectiue, or falſely, or deceiueably mixed and altered from their right kinds, without let of any perſon. And alſo they may commit ſuch perſon as ſhall be found defectiue, by vſing ſuch deceit or craft, to ward, and puniſh them by their diſcretions, according to the Lawes and Cuſtomes within the Citie or Libertie of London, vſed and made for other miſdoers. 3. H. 8. 14.

Searching of oyle out of London.

2 The Mayor in euery Citie, Borough, and Towne where a Mayor is, or the Gouernours or Rulers of euery other Citie Borough, &c. for the time beeing, haue within their Iuriſdiction, Libertie, and Fraunchiſe, like authoritie to make and do like ſearch, order, direction, correction, puniſhment, and execution for the ſame, of, for, and vpon all Oyles, beeing defectiue, or deceiueably, or falſely mixed and altered, by any perſon within their Liberties and Fraunchiſes, in manner & forms before rehearſed, and as the Mayors, Maſters, and Wardens of the citie of London haue or may in London, &c. 3. H. 8. 14.

Ordinarie.

Ordinarie charged as executors.

IF by the death of any dying inteſtate, which is bound to ſome other for Debt, the goods come to the Ordinaries hands to be diſpoſed, The Ordinarie is bound to anſwere as farre forth as the goods of the dead will extend, in ſuch ſort as executors ſhould haue beene bound, if the partie had made a will. Weſtm. 2. 13. Edw. 1. 19.

Ordinarie indicted of extortion.

2 No Ordinarie, or any Miniſter of his ſhall be indicted of Extortion or Oppreſſion generally, but it muſt be declared and put in certaine in the indictment, in what thing, of what, and in what manner the ſaid Ordinaries or their Miniſters haue done extortion and oppreſſion, or otherwiſe the ſaid Ordinarie &c. ſhall not be impeached by the Kings Iuſtices, for the ſaid Indictment. 25. Edw. 3. 9. Stat. pro Clero.

3 Anno 31. Henr. 8. 13. it was enacted, That ſuch of the late Monaſteries, Abbathies,

Abbathies, Priories, Nunneries, Colledges, Hospitals, Houses of Friers, and other Religious and Ecclesiasticall houses and places, and all Churches and Chappels to any of them belonging, which before the dissolution, suppression, or comming vnto King Henrie the eight, were exempted from the Visitation, & all other iurisdiction of the Ordinarie, within whose Dioces they were scituat, should bee within the Jurisdiction and Visitation of the Ordinaries, within whose Diocesse they or any of them be scituat, or of such persons as by the said King H.8. should bee appointed, any Exemption, Libertie, or Jurisdiction notwithstanding. Anno 31. H. 8. 13. Religious houses within the visitatiō of the Ordinarie

1 The Ordinaries authoritie & duetie, when any question for Tithes shal come in debate before him. S. Tithes 20. 21. 31.

2 The Ordinarie may suspend him which chideth in a Church or Churchyard. S. Fighting 2.

3 The Ordinaries authoritie in punishing the incontinency of Ecclesiastical persons. S. Incontinencie 1.

4 Where the Ordinarie must giue the Patron notice of depriuation 6. monethes before Lapse. S. Ecclesiasticall &c. 5.

5 The Ordinarie may visit Hospitals within his Diocesse. S. Hospitals 1.

6 For the Ordinaries dutie in prouing of Testaments, and granting Administration. S. Probate &c.

7 The Ordinarie for a Benefice fallen to him by Lapse, may counterplead the Kings title. S. Lapse 2.

8 For the Ordinaries allowance of a Schoolemaster. S. Recusants 2.

Oatmeale.

IF any person wil take vpon him to sel Oatmeale, which is impaired by any craftie meanes, first he shall be grieuously punished, and being the second time conuict, he shall lose all his Oatmeale, the third time shall be adiudged to the Pillorie, and the fourth time he shall forsweare the towne. 51. Ed. 1. Selling of corrupt Oatmeale.

Painter.

FRom and after the 29. day of September, which shall bée in the yeare of our Lord God 1606. next comming after the end of this Session of Parliament, No manner of person or persons, being, or pretending to be a Plaisterer, or hereafter to become, or be a Plaisterer, shall vse, exercise, or set vp the Art, Mysterie, or Manual occupation of a Painter, commonly called a Painter Stainer, or any part thereof, in the Citie of London, or the Liberties, or Suburbes of the same: Or shal within the places aforesaid, make any manner of worke or workes, or lay any maner of colour or colours, painting or paintings whatsoeuer, in the said Art or Mysterie of Painters Stainers aforesaid, at any time heretofore occupied or vsed, vnlesse he or they be or shall be the Seruant or Seruants, Apprentice or Apprentices of a Painter, otherwise called a Painter Stainer, or haue serued, or shall serue as an Apprentice or as Apprentices, by the space of seuen yeres at the least to a Painter, otherwise called a Painter Stainer: vpon paine, that euerie such person or persons as shall hereafter doe or offend contrarie to the true intent of this Act, shall forfeit for euerie time that hée shall so offend fiue pounds: The one moytie to the King, his heires and successors, and the other moytie to him or them that will sue for the same in any of the Kings Courts of Record, by A. of debt, B. P. or J. wherein no E. P. or W. shalbe allowed for the defendant: Any Law, Custome, &c. notwithstanding. 1. Iac. 20. No plaisterer shalbe a painter in London

2 Prouided

What colours Plaiſterers may vſe.

2 Prouided neuertheleſſe, That it ſhal and may be lawful to and for any of the Companie of Plaiſterers, or their ſeruants, or apprentices, to lay and vſe whiting, blacking, red lead, red okar, yellow okar, and ruſſet mingled with ſize only, and not with oyle, This Act &c. notwithſtanding. 1. Iac. 20.

3 No Painter, or Painters Seruant, or Apprentice, ſhall haue or take aboue xvi. pence by the day, for laying of any Flat Colour whatſoeuer, mingled or mixed with Oyle or Size, vpon any Timber, Stone, Iron, or Lead. Anno Primo Iacob. 20.

Pardon.

Of what offences pardon may be grãted

NO Charter of Pardon of any Felonie, Robberie, or Homicide, ſhalbe granted to any perſon, but where the King may do it, ſauing his othe taken at his coronation (viz. where a man killeth another in his owne defence, or by miſfortune. 6. E. 1. 9. & 2. E. 3. 2.) And if any Charter be otherwiſe granted, it ſhalbe void. 4. E. 3. 13. 10. Ed. 3. 2. 14. Ed. 3. 15.

The ſuggeſtiõ compriſed in the pardon.

2 In euerie Charter of Pardon of Felonie, which ſhalbe granted at any mans ſuggeſtion, the ſuggeſtion and the name of him that maketh it, ſhalbe compriſed in the ſame Charter. And if afterward the ſuggeſtion be found vntrue, the Charter ſhalbe diſallowed and accounted nothing worth. And the Juſtices before whom ſuch Charters ſhalbe alledged, ſhall inquire the ſame ſuggeſtions, and if they find them vntrue, they ſhall diſallow the Charters, and further proceed as the law requireth. Anno 27. E. 3. 2.

The offences ſpecified in the pardon.

3 No Charter of Pardon ſhalbe allowed before any Juſtice for Murther, or for the death of a man ſlaine by await, aſſault, or malice prepenſed, Treaſon, or Rape of a woman, vnleſſe the ſame Murther, Death, Treaſon, or Rape, bee ſpecified in the ſame Charter: And if a Charter of the death of a man be alleadged before any Juſtices, in which is not ſpecified, that he, of whoſe death any ſuch is arraigned, was murthered or ſlaine by await, aſſault, or malice prepenſed, the ſame Juſtices ſhall enquire by a good Enqueſt of the Viſne, where the dead was ſlaine, if he were murthered or ſlaine by await, aſſault, or malice prepenſed. And if they find that he was murthered or ſlaine by await, &c. the Charter ſhalbe diſallowed, & further therein ſhalbe done as the Law requireth. 13. R. 2. 1. 16. R. 2. 6.

Pardon of an Approuer.

4 If any man or woman doe deſire, or purſue, or cauſe to be requeſted or purſued, for any Charter of Pardon, for any Felon arraigned of Felonie, Murder, or Rape, which for ſafegard of his life doth become an Approuer, the name of him or her which purſueth ſuch Charter, ſhall bee put in the Charter, making mention that the ſame Charter is graunted at his requeſt and inſtance. And if he to whom the Charter is graunted, after his deliuerance becommeth a Felon againe, the ſame perſon which did purſue for his Charter, ſhall forfeit to the King 100. l. &c. 5. H. 4. 2.

He that hath a pardon ſhall find ſuerties for his good abearing.

5 If the King doe graunt to any perſon any Charter of Pardon, of any Homicide, Robberie, or Felonie, then hee to whom the ſame is graunted, ſhall come within three monethes next after the making of the ſame, before the Sheriſe and Coroners of the Countie where the Felonie was done, and ſhall find ſir good and ſufficient Mainpernors, for whom the ſaid Sheriſe and Coroners wil anſwer, that he from thencefoorth ſhall beare himſelfe wel and lawfully. And the mainpriſes ſhal be ſealed and returned into the Chauncerie within three weekes after the end of the ſaid three moneths. And if he which hath ſuch Charter, will ayd himſelfe thereby, and hath not found ſuch Mainpriſes, or after ſuch Mainpriſe found, doth beare him otherwiſe againſt the peace then he ought, his Charter ſhalbe accounted void, and of no force. 10. Ed. 3. 3.

1 What things bee requiſite to make Pardons of Vtlawrie allowed. S. Exigent 2.3.

2 None haue authoritie to pardon Felons &c. but the King. S. Prerogatiue 17.

3 In what ſuit the K. pardon ſhall be no barre. S. Iurors 8.

4 A pardon of Alienation muſt be ſued by thoſe to whom lands holden in Capite be deuiſed. S. Wils 16.

Parliament.

Each perſon ſhall vpon ſummons come to the Parliament.

EVerie perſon of the Realme, which hath Summons to come to the Parliament (which ſhall bee holden once euerie yeare, and moze often, if need bee. 4. Edw. 3. 13. 36. Edw. 3. 10.) bee hee Archbiſhop, Biſhop, Duke, Earle, Baron, Baronet, Knight of the Shire, Citizen of Citie, Burgeſſe of Bozough, oz other ſingular perſon oz comminaltie, that doth abſent himſelfe, and commeth not at the ſaid Summons (except hee can reaſonably and honeſtly excuſe himſelfe to the K. Maieſtie) ſhall be amerced, and otherwiſe puniſhed, accozding as hath beene vſed. 5. R. 2. 4.

No man ſhal depart from the parliament without licẽce

2 No Knight, Citizen, Burgeſſe, oz Baron, that ſhall bee elected to come oz bee in any Parliament, ſhall depart from the ſame Parliament, noz abſent himſelfe from the ſame, vntill the ſame Parliament bee fully finiſhed, ended, oz prozogued (except he haue licence of the Speaker and Commons in the ſaid Parliament aſſembled, and the ſame licence be entred of Recozd in the Booke of the Clerke of the Parliament appointed foz the common houſe) vpon paine to loſe all thoſe ſummes of money which he ought to haue had foz his wages: And all the Counties, Cities, and Bozoughes, whereof any ſuch perſon ſhalbe elected, and the inhabitants of the ſame, ſhalbe clerely diſcharged of the ſaid wages, againſt the ſaid perſon and his executozs foz euer. 6. H. 8. 16.

Return of the Writs foz the Parliament.

3 If any Sherife of the Realme bee negligent in making his returne of Writs of the Parliament, oz leaue out of the ſayd Returnes any Cities, oz Bozoughes, which bee bound, oz of old times were wont to come to the Parliament, he ſhalbe puniſhed in ſuch ſozt, as it hath beene vſed, &c. 5. Richard 2. 4. Statut. 2.

The manner of the election of the knights foz the Parliament.

4 At the nert Countie holden after the deliuerie of the Kings Writ, foz the election of the Knights of the Parliament, Proclamation ſhall bee made in ỹ full Countie, of the day and place of the Parliament, and that all they which be there preſent, as well ſuitozs ſummoned foz the ſame cauſe, as other, ſhall attend to the election of their Knights foz the Parliament, and then in the full Countie they ſhal proceed to the election freely and indifferently (notwithſtanding any prayer oz commaundement to the contrarie. 7. H. 4. 15.) which election ſhalbe made by the Sherife in due and conuenient time. (That is to ſay, euerie Sherife in his full Countie ſhall make the ſame betweene the houre of eight, and the houre of nine in the forenoone, without colluſion.) And the Knights of the Shires within England, ſhall be choſen by men dwelling and reſident within the ſame Counties, whereof euerie one hath free lands oz tenements, to the value of rl. s. by the yere at the leaſt, aboue all charges, within the ſame Countie, where any ſuch perſon will meddle in the election. And they which ſhall be choſen, ſhall be alſo remaining and dwelling within the ſame Counties the day of the date of the Writ foz ſummons of the parliament. And they which haue the greater number of thoſe which may diſpend rl. s. oz aboue (be they abſent oz preſent) ſhall bee returned by the Sherife of euerie Countie, Knights foz the Parliament, by Indenture ſealed, made betwirt the ſayd Sherife, and the ſaid Chuſers, and the Indenture ſhall be filed to the Parliament

ment Writ, which Indenture ſo ſealed and filed, ſhall bée the returne of the ſame Writ. And in the Writs of the Parliament this clauſe ſhall bée put. Et Electionem tuam in Comitatu tuo factam, diſtinctè & aperè ſub ſigillo tuo, & ſigillis eorum, qui electioni illi interfuerint nos in Cancellaria noſtra ad diem & locum in breui content. certifices indilatè. And euerie Sherife within the Realme of England, hath authoritie to examine by othe, vpon the holy Euangelicts, euerie ſuch Electo, how much he may diſpend by yeare (ſo he that cannot diſpend xl.s. by yeare, ſhall not in any manner be a chuſer of the Knights of the Parliament.) And if any Sherife returne Knights ſo the Parliament, contrarie to the Statute, o doth not make his election within the foreſaid time, the Iuſtices of Aſſiſe in their Seſſions haue power to inquire thereof, and if by enqueſt it bee found before the ſame Iuſtices, and the Sherife thereof attainted, hée ſhall forfeit to the King one hundred pounds, and alſo be impriſoned a yere, without being let to baile o mainpriſe. And moreouer he ſhall forfeit and pay to euerie perſon choſen Knight for the ſhire, and not duely returned 100. l. whereof euerie Knight ſo grieued, ſhall haue his action of debt againſt the ſaid Sherife, his executors, o adminiſtrators, to demand and haue the ſaid 100. l. with his coſts in that caſe diſpended, wherein no W. E. &c. And alſo the Knights ſo the Parliament returned in contrarie manner, ſhall loſe their wages. 7. H. 4. 15. 11. H. 4. 1. 1. H. 5. 1. 8. H. 6. 7. 10. H. 6. 2. 23. H. 6. 15. Q. But the Sheriffes which ſhall make ſuch elections, ſhall haue their anſwer, and trauerſe to ſuch Enqueſts, and Offices found before the Iuſtices of Aſſiſe. And neither the Sheriffes nor the Knights ſuppoſed to be vnduely returned, ſhall incurre any damage to the King, vntill they be duely conuicted, according to the courſe of the Law. 6. H. 6. 4.

The Sherifs forfeiture.

Election of Burgeſſes.

5 Euerie Sherife after the deliuerie of the Kings Writ for the Parliament, ſhall make and deliuer without fraud, a ſufficient precept vnder his Seale to euerie Maior and Bailife, o to Bailifes or Bailife, where no Maior is, of the Cities and Borroughes within his Countie, reciting the ſame Writ, commaunding them by the ſame precept (if it be a Citie) to chuſe by Citizens of the ſame Citie, and in the ſame manner, if it be a Borough, by the Burgeſſes of the ſame, to come to the Parliament. And the ſame Maior, and Bailife or Bailifes, &c. ſhall returne lawfully the Precept, to the ſame Sherife, by Indenture betwixt the ſame Sherife, and them of the ſaid election, and of the names of the Citizens and Burgeſſes by them ſo choſen, and thereupon euerie Sherif ſhal make a good and rightful returne of euery ſuch Writ, and of euerie returne of the Maiors, or Bailifes &c. to him made. And euerie Sherife, at euerie time that he doth contrarie to this Statute, or any other Statutes for the election of Knights, Citizens, and Burgeſſes, to come to any Parliament (made before the xv. day of Februarie, Anno Dom. 1444. & 23. H. 6.) ſhall forfeit to the K. 100. l. and be one yere impriſoned, without baile or mainpriſe, and moreouer ſhal forfeit and pay to euerie perſon choſen Knight, Citizen, or Burgeſſe in his Countie to come to the Parliament, and not duly returned 100. l. whereof euerie Knight, Citizen, or Burgeſſe, ſo grieued, ſeuerally ſhal haue his Action of Debt againſt the ſaid Sherife, or his Executors, or Adminiſtrators, to demand and haue the ſaid 100. l. with his coſts in that caſe expended, wherein no W. E. &c. 23. H. 6. 15.

Other Burgeſſes returned thē which be choſen.

6 At euerie time that any Maior and Bailifes, or Bailife or Bailifs, where no Maior is, ſhall returne other perſons then thoſe which be choſen by the Citizens, and Burgeſſes of the Cities or Borroughes, where ſuch elections ſhall bée made, they ſhall forfeit to the King xl. l. and alſo they ſhall forfeit and pay to euerie perſon, choſen Citizen, or Burgeſſe for the Parliament, and not by the ſaid Maior, &c. or Bailifes &c. returned xl. pounds, whereof euerie of the Citizens or Burgeſſes ſo grieued, ſeuerally ſhall haue his Action of Debt againſt the ſaid Maiors, and Bailifes,

Bailifes, or Bailife or Bailifs where no Maior is, againſt their Executors, or Adminiſtrators, to demand and haue xl.l. with his coſts in that caſe expended, wherein no W. E. &c. 23. H. 6. 15.

7 If any Knight, Citizen, or Burgeſſe, returned by the Sherife to come to the Parliament in forme aforeſaid, bee after ſuch returne, by any perſon put out, and another put in his place, ſuch perſon put in the place of him which is ſo put out, if hee take vpon him to bee a Knight, Citizen, or Burgeſſe, at any Parliament, ſhall forfeit to the King one hundred pounds, and alſo one hundred pounds to the Knight, Citizen, or Burgeſſe ſo returned by the Sherife, and afterwards put out, for the which hundred pounds, the Knight, Citizen, or Burgeſſe put out, ſhal haue his Action of Debt againſt ſuch perſon put in his place, his Executors, or Adminiſtrators. 23. H. 6. 15. A Knight or Burgeſſe put out, & another put in his place.

8 But the ſayd Knight, Citizen, or Burgeſſe, put out, and euerie other perſon before named, which ſhall or may haue any Action of Debt againſt any Sherife, Maior, Bayliſe, Bayliſes, &c. for to demaund 100. l. or 40. l. by force of any braunch or clauſe, before rehearſed, ſhall begin his action of Debt within three Monethes after the ſame Parliament commenced, and proceed in the ſame ſuit effectually without fraud. And if hee doe not ſo, any other that will ſue, ſhall haue the ſayd Action of Debt, to haue and recouer the ſame ſumme, with his coſtes in that behalfe diſpended, in manner and forme aforeſaid, wherein no W. E. &c. 23. H. 6. 15. Within what time the ſuit ſhalbe commenced.

9 The Knights of the Shires choſen for the Parliament, ſhall bee worthy and notable Knights of the ſame Shires, for which they bee choſen, or otherwiſe ſuch notable Eſquires, Gentlemen, borne of the ſame Counties, as ſhall be able to bee Knights. And no man ſhal bee ſuch a Knight, which ſtandeth in the degree of a yeoman, or vnder. 23. H. 6. 15. And the Citizens and Burgeſſes of Cities, and Boroughes, ſhalbe choſen of men which be Citizens and Burgeſſes, reſiant, dwelling, and infranchiſed in the ſame Cities and Boroughes, and none other in any wiſe. 1. H. 5. 1. 23. H. 6. 15. Who ſhalbe Knights for the Parliament. Citizens and Burgeſſes.

10 The Kings royall aſſent, by his Letters Patents vnder his great Seale, and aſſigned with his hand, and declared and notified in his abſence, to the Lords Spirituall and Temporall, and to the Commons aſſembled together in the High houſe, is, and euer was, and ſhall be of as good ſtrength and force, as though the K. perſon had beene there perſonally preſent, and had aſſented openly and publikely to the ſame. 33. H. 8. 21. The K. aſſent.

11 If any Lord, or other Spirituall man, or Temporall, haue purchaſed any lands, tenements, or poſſeſſions that were wont before the ſaid purchaſe to be contributory to the expences of the knights comming to the parliamẽt, the ſaid lands, tenements, and poſſeſſions, and the tenants of the ſame ſhalbe contributorie to the ſaid expences, as the ſaid lands &c. were wont to be, before the time of the ſame purchaſe. 12. R. 2. 12. Lands contributorie to the knights wages.

12 The Sherife of euerie Countie for the time being, in the nert Countie Court holden in their Counties, after the deliuerance of the Kings writs to them De ſolutione feodi Militis Parliamenti, ſhall make open proclamation, that the Coroners, and euerie chiefe Conſtable of Peace of the ſaid Counties, and the Bayliſes of euerie Hundred or Wapentake of the ſame Countie, and all other which will be at the aſſeſſing of the wages of the knights of the Shires, ſhalbe at the nert Countie there to bee holden, to aſſeſſe the ſaid wages of the ſaid Knights. And the Sherife, Vndersherife, Coroners, or Bailifes, for the time being, ſhall bee there at the ſame time in their proper perſon, vpon paine of forfeiture to the King of euerie of them that maketh default xl.s. At which time the ſaid Sherife or Vndersherife in the preſence of them that ſhall come to the ſame, and of the ſuitors of the ſayd The order of leuying knights wages.

Counties

Counties then being there in the full Countie, well and duely ſhall aſſeſſe euerie Hundred to that aſſeſſable, by it ſelfe, to pay a certaine ſumme for wages of the Knights of the Shire, ſo that the whole ſumme of al the hundreds do not exceed the ſumme which ſhalbe due to the ſaid Knights, and after that, in the ſame Countie, ſhall aſſeſſe euerie village within the ſaid Hundreds, which ſhalbe there aſſeſſable, to a certaine ſumme for the paiment of the ſaid wages, ſo that the whole ſumme of all the Towns, within any of the ſaid Hundreds, do not exceed the ſumme aſſeſſed vpon the Hundred of which they be. And the ſaid Sheriffs, Vndersherifes, Bayliffes, nor no other Officer, for the cauſe aforeſaid, ſhall leuie more money of any Village, then that whereunto they were aſſeſſed. And if any doe, or will aſſeſſe any Hundred or Village, otherwiſe then is aforeſaid, they ſhall forfeit for euerie default to the King x.l. and to any man that will ſue in this caſe x.l. And the ſayd Sheriffes well and duely ſhall leuie the money ſo aſſeſſed vpon the foreſaid Villages, as ſoone as they well may, after the ſaid aſſeſſing, and the ſame ſhall deliuer to the ſaid Knights, according to the writs thereof, vpon the aforeſaid paines, &c. and he that will ſue in this caſe ſhalbe thereunto admitted, and ſhall haue a Scire facias againſt him that offendeth againſt this Statute. And if the defendant duely warned in the ſame, make default, or elſe appeare, and be in the ſame conuict, then the plaintifes ſhall recouer againſt them which be ſo conuict x.l. to their owne vſe, beſides the ſaid xx.l. with their treble damages, for the coſts of their ſuits. All ſuch expences of Knights ſhal not be leuied of any other Villages, Seignories, or places, but of ſuch whereof it hath bene leuied before this time. And in euerie writ to bee made to leuie the wages of the ſaid Knights, this act ſhall bee comprehended in the ſame. 23. H. 6. 11. S. Iuſt. of peace 52.

Delayes of iudgement in other Courts redreſſed in Parliament.

13 At euerie Parliament ſhall be choſen a Prelat, two Earles, and two Barons, which ſhall haue Commiſſion from the King, to heare by petition deliuered vnto them, the complaints of thoſe, that will complaine of delayes of iudgements in the Chauncerie, Kings Bench, Common Place, and Exchequer, and before other Iuſtices aſſigned to heare and determine: which delayes happen ſometime by difficultie, and ſometime by diuerſitie of opinions of the Iudges, and ſometime for other cauſes. Which Prelat, Earles, and Barons, ſhall haue power to cauſe to come before them, the tenor of the Records and proces of ſuch iudgements ſo delaied, and to cauſe the ſame Iuſtices to come before them, to heare their cauſe and reaſon of ſuch delayes: Which cauſe and reaſon ſo heard, by good aduice of themſelues, the Chauncelor, Treaſorer, Iuſtices of the one Bench and the other, and other of the Kings Counſell (as many, and ſuch as ſhall ſeeme conuenient) ſhal proceed to take a good Record, and make a good Iudgement. And according to the ſame Record ſo taken, the tenor of the ſame Record, together with the Iudgement which ſhall bee accorded, ſhall bee remaunded before the Iuſtices, before whom the plea did depend: and they ſhall giue iudgement according to the ſame Record. And if difficultie ſeeme to them, to bee ſo great, that it may not well bee determined without aſſent of the Parliament: The ſayd tenor or tenors ſhall bee brought by the ſayd Prelat, Earles, and Barons, into the next Parliament: And there ſhall a finall accord bee made, what iudgement ought to bee giuen in this caſe: And according to that accord, commaundement ſhall bee giuen to the Iudges before whom the plea did depend, that they ſhall proceed to iudgement without delay. 14. E. 3. 5.

1 How they ſhalbe puniſhed which do aſſault any Lord, Knight, or Burgeſſe of the Parliaments, or any of their ſeruants. S. Fighting 5.

2 In what ſort hee ſhall bee vſed which entreth into the Parliament houſe, without taking the othe for the aſſurance of the Kings power ouer all eſtates. S. Crowne 5.

3 For the Knights and Burgeſſes of Parliament, to be choſen in euerie Shire, Citie, and Towne Corporat in Wales, and for their wages. S. Wales 116. 117. 118. 119. 120. 121.

4 There ſhalbe two Knights for the Countie, and two Citizens for the Citie of Cheſter for euerie Parliament. S. Cheſter 2.

5 They which come to the Conuocation, ſhall haue ſuch liberties as they which come to the parliament. S. Conuocation 1.

6 No Appeales ſhalbe ſued in the Parliament. S. Appeale 1.

7 None ſhalbe vexed for free ſpeeches in Parliament. S. 4. H. 8. 8.

8 For the wages of the Knights of the Parliament in the Countie of Cambridge S. 34. H. 8. 24.

9 Places of the Lords in the Parliament. S. 31. H. 8. 10.

10 No impoſition or charge ſhalbe ſet vpon wools, &c. without aſſent of Parliament. S. 45. Ed. 3. 5.

Partition, Parceners.

Partition of lands holden in Capite.

IF any inheritance which is holden of the King in Capite, do diſcend to diuers coparceners, then all the heires ſhall do homage to the K. and the inheritance which is holden of the king ſhalbe ſo deuided amongſt the heires, that euerie of them from thencefoꝛth ſhall hold her part of the King. Prærog. Regis. 17. Ed. 2. 5. And if they be within age, the King ſhall haue the wardſhip and mariage of euerie one of them, and ſo ſhall euerie other Lord of whom they hold their lands, Stat. Hiberniæ, Anno 14. H. 3.

Jointenants, & tenants in common, may be compelled to make partition.

2 All Jointenants, and Tenants in common, of any eſtate oꝛ eſtates of inheritance, in their owne rights, oꝛ in the rights of their wiues, of any manoꝛs, lands, tenements, oꝛ hereditaments within England, Wales, oꝛ the Marches of the ſame, ſhall and may be compelled to make partition betweene them, of all ſuch manoꝛs, lands, tenements, and hereditaments, as they hold as Jointenants, oꝛ Tenants in common, by writ De partitione facienda, in like maner, as coperceners by the common Lawes haue béen, and are compellable to do, and the ſame writ ſhalbe purſued at the Common Law. 31. H. 8. 1.

Aide after partition.

3 But euerie of the ſaid Jointenants, oꝛ Tenants in common, and their heirs after ſuch partition made, ſhall and may haue aide of the other, oꝛ of their heires, to the intent to deraigne the warrantie paramont, and to recouer foꝛ the rate, as is vſed betweene Parceners after partition by oꝛder of the Common Law. 31. Henr. 8. 1.

Jointenants foꝛ life oꝛ yeares.

4 All Jointenants, and Tenants in common, and euerie of them, which hold ioyntly, oꝛ in common foꝛ terme of life, yeare oꝛ yeares, oꝛ Jointenants, oꝛ tenants in common, where one oꝛ ſome of them haue eſtate oꝛ eſtates foꝛ terme of life, oꝛ yeares, with the other that haue eſtate oꝛ eſtates of inheritance, oꝛ freehold in any manoꝛs, lands, tenements, oꝛ hereditaments, ſhal and may be compellable by writ of Partition, to be purſued out of the Chauncerie, vpon his oꝛ their caſe, to make ſeuerance and partition of all ſuch lands, &c. which they hold ioyntly oꝛ in common, foꝛ terme of life oꝛ liues, yeare oꝛ yeares, where one oꝛ ſome of them hold iointly oꝛ in common, foꝛ terme of life oꝛ yeares, with other, oꝛ that haue an eſtate oꝛ eſtates of inheritance oꝛ freehold. 32. H. 8. 32.

Partition preiudiciall to none but parties.

5 But no ſuch partition to be made by foꝛce of this ſtatute ſhall be preiudiciall to any perſons, their heires and ſucceſſoꝛs, other then ſuch which be parties to the ſaid partition, their executoꝛs oꝛ aſſignes. 32. H. 8. 32.

1 How much the vſurpation of a Coparcener vpon his coheire, ſhall preiudice him in his preſentation. S. Aduowſon 6.

2 In what maner, and betwixt whom partition ſhalbe made of lands in Gauelkind in Kent. S. Prærog. 16.

Patents.

Letters Patẽts ſhal beare the date of the deliuery of the warrant.

THe day of the deliuerie of euerie warrant ſent by the King, or his heires, to the Chauncelor of England, ſhall bée entred of record in the Chauncerie. And the Chauncelor ſhall cauſe Letters Patents to be made vpon the ſame warrant, bearing date the day of the ſaid deliuerie in the Chauncerie, and not before. And if any Letters Patents bée made to the contrarie, they ſhall bée voyd. 18. H. 6. 1.

Patents of lands, &c. graunted to others during pleaſure.

2 If any perſon do make ſuit to the King for any lands, tenements, offices, or any other things, by his Grace graunted, or to be graunted to any perſon during his pleaſure, the firſt Patentée then being in life, hée ſhall erpreſſe in the ſaid Bill of Petition or Patent, the tenor of the ſaid former Patent, and that the King hath determined his pleaſure againſt the ſaid firſt Patentée: or elſe the ſayd ſecond letters Patents of any of the Premiſſes to any perſon to be graunted, ſhall bée void. 6. H. 8. 15.

Cõfirmation of the Letters Patens of Q. Eliz.

3 As well all and ſingular Letters Patents, Indentures, and other writings, ſealed vnder the great Seale of England, or vnder the Seals of the Duchie of Lancaſter, or the ſeale of the County Palantine of Lancaſter, and heretofore made or graunted by our Soueraigne Lady Q. Elizab. ſithence 18. Nouemb. Añ 1. of her Raigne, for any ſummes of money, or for any other conſiderations, As all other Letters patents hereafter to be made by our ſaid So. Lady, for any ſumme of money, or other conſiderations, during ſeuen yeres next inſuing the making of this Act (being 15. die Martij, Añ dñi 1575.) to any bodie Politique or Corporat, or to any other perſon or perſons whatſoeuer, of any Honors, Caſtles, Mannors, Lordſhips, Graunges, Meaſes, Lands, Tenements, Meadowes, Paſtures, Rents, Reuerſions, Seruices, Woods, Aduowſons, Nominations, Patronages, Annuities, Rights, Intereſts, Entries, Conditions, Leets, Courts, Liberties, Priuiledges, Franchiſes, or any other Hereditaments with their appurtenances, or of any part or parcell of them, ſealed with or vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaſter, or the Seale of the Countie Palantine of Lancaſter, of whatſoeuer kind, nature, or qualitie, they or any of them bée, or ſhall be reputed, knowne, or taken with their appurtenances, or any part or parcell of them, ſhall bée good, perfect, and effectuall in the law, and ſhall ſtand, be taken, and adiudged good, perfect, and effectuall in the law againſt the Quéne, her heirs and ſucceſſors, according to the tenor and effect of the ſaid Letters Patents, the ſame to be erpounded and adiudged moſt beneficiall to the Patentées & Grantées of the ſame, and their aſſignes, according vnto the words and purport of euery of the ſaid Letters Patents, without any confirmation, licence, or tolleration of the

1 Quéne, her heires or ſucceſſors: Any miſnaming, miſrecitall, or nonrecitall of any the ſame Honours, Caſtles, Mannors, Lands, Tenements, and other the pre-

2 miſſes, or any parcell thereof: Or any lacke of finding of Offices, or Inquiſitions of and in the premiſſes, or any part thereof, whereby the title of the Quéne therein ought to haue béene found, before the making of the ſame Letters Patents, or

3 other writings: Or any miſrecitall, or nonrecitall of Leaſes thereof before made,

4 as well of record, as not of record: Or any lacke of the certaintie, miſcalling, rating, or ſetting forth of the yearely value and rate of the premiſſes, or of the yearely rents reſerued, of, and for the premiſſes, or any parcell thereof, mentioned or contained in any of the ſaid Letters Patents, or other writings, or for that the premiſſes be, or any part thereof is valued to a more or leſſe value in the ſaid Letters

ters Patents,or writings,then the said Lands, & other the Premisses then were, or shalbe in the yearely value: Or any misnaming of the Townes,Hamlets,Parishes,or Counties,where the same Lands,Tenements,Rents,Hereditaments, and other the Premisses,and euerie parcell, or any parcell thereof,lien or bene: Or any lacke of the true naming of the Lands,Tenements,or Hereditaments,or of the natures,kinds,sorts,qualities,or quantities of the said possessions, or hereditaments,or any parcell thereof: Or any lacke of the true naming of the Corporation: Or any lacke of the Attournement,Liuerie,or Seisin: Or of any misnaming of any the late Tenants or Farmors of the same Honors,Mannors,Lands, Tenements,and Hereditaments,or any part thereof, so sold, graunted, or giuen, notwithstanding. 18.Eliz.2. 5 6 7 8 9

4 All and singular such Patentées,Grauntées,and Donées,and euerie of them, which at any time heretofore sithence the said 18.day of Nouember, in the first yere of the Raigne, haue obtained of our Soueraigne Ladie the Quæne, or at any time after the Session of Parliament ended (15. Mart. Añ dñi 1575.) during the space of seuen yeares,shall obtaine of her Maiestie by way of exchange, or for any summe of money,or other considerations,any Letters patents,of any Mannors, Lands, Tenements, or Hereditaments,which at the date and making of the said Letters Patents, were or shall bee at the time of making such Letters Patents, of better and more yearely value to the Quæne, and so answered in yearely rent and ferme, then was, is,or shall bee contained and specified in any such Letters Patents, or in the particulars or rate thereof, made, or to bee made by any Auditor,surueyor,& other officer: Then euerie such Patentée, grantée or Donée,their heires, executors, or assignes, and euerie of them, within one yeare next after Office,or other due proofe, order, and decrée thereof to bee made within tenne yeares next after xv. Martij, Anno Domini 1575. in the Exchequer, shall pay vnto the Quæne, her heires and successours, for the same ouerplus of the same lands, &c. so sold, giuen, graunted, or exchanged, after the rate of threescore yeares purchase,and according to such yearely value and rate, as the same Lands, Tenements, and other Hereditaments were, and answered at the time of the making of any such Letters Patents so made, or to be made in maner and forme aforesaid: Any thing contained in any such Letters Patents &c. notwithstanding. 18.Eliz.2. The answer for the Ouerplus of lands granted by the Q. Patent. Lx.yeares purchase.

5 But this Act shall not extend to confirme or make good any Lease or Leases, made or to bee made by the Quæne, for terme of life, liues, or for yeares, whereupon the old and accustomed rents, or more, bee not, or hereafter shall not bee reserued, and yearely payable during the terme of euerie such Lease: Nor this Act shall extend to reuiue or make good any Letters Patents, made of any Office or Offices to any Comptroller, Customer, Aulneger, Searcher: Nor to any Letters Patents, of the graunt of any other Office or Offices, heretofore made by the Quæne,which now be, or at any time heretofore haue bæne determined, or made void by iudgement, by authoritie of Parliament, or by decrée: Nor to any Patents to bee made to any person for terme of yeares, or during the minoritie of any heire,of any manors,lands,or tenements, whereof any trauerse shall bee tendred within three monethes after any Office found,and certified vnto any the Q. Courts of Record: Ne to make good any Letters Patents, made by our sayd Soueraigne Ladie of any Office to be of any other effect then the same Letters Patents were or should haue bæne, before the making of this Act: Neither shall it extend to any Letters patents,which at any time heretofore sithence the beginning of the Quænes raigne hath bæne,or hereafter shall be made by the Quæne to any person of any manors, lands,tenements, rents,reuersions,seruices,or other hereditaments, by force of any information, suit, or suggestion, made, or to bee made Patentées or Grauntées whereunto this Statute extendeth not. Patentées of lands whereof a trauerse is tendred. Patents of Offices. Patents of concealed land.

to her Highnelle, that the ſame lands, &c. ſo contained in any ſuch letters Patents were concealed lands: But the ſame Letters Patents, and euerie of them, ſhal remaine and be in the ſame force and effect, as they were before the making of this act 18. Eliz. 2.

Other mens rights ſaued.

6 Sauing to all other perſons, and bodies politique and corporat, their heires and ſucceſſors, and euerie of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſeruices, commons, and all other profits and commodities whatſoeuer, as they or any of them ſhould or might haue had before the Letters Patents thereof made, if this Act had neuer bēn made. 18. Eliz. 2.

A confirmation of all aſſurances made to the Q.

7 All Feoffements, Fines, Surrenders, Aſſurances, Conueyances, and Eſtates, had or made, to or for our Soueraigne Lady Quēne Elizabeth, ſithence 18. Nouemb. Anno 1. of her raigne, or to bee made at any time during ſeuen yeares (next after the end of this parliamēt, being 15. die Mart. Añ dñi 1575.) by any perſon or perſons, bodie Politique or Corporat, of any caſtles, mannors, lands, tenements, rents, and other hereditaments, for any debt, ſumme of money, or other conſideration whatſoeuer, ſhalbe good and auaileable in the Law, to all intents, according to the true meaning of the ſame: Sauing to all and euerie perſon and perſons, and their heires, bodies politique and corporat, and their ſucceſſors (other then ſuch perſon and perſons, their heires, and wiues, being parties or priuies to ſuch Conueyances &c. bodies Politique and Corporat, and their ſucceſſors, &c. of whom the Quēne hath obtained or purchaſed, or ſhall obtaine or purchaſe during the ſaid ſeuen yeares, any lands, &c. by exchaunge, gift, bargaine, or otherwiſe) all ſuch right, title, intereſt, vſe, poſſeſſions, rents, reuerſions, remainders, offices, fees, commons, profits, and commodities whatſoeuer, which they or any of them, haue, might, or ought to haue had, of, in, or to the Premiſſes, or any part thereof, in as ample maner, to all intents, as if this Act had neuer bēne made. 18. Eliz. 2.

Other mens rights ſaued.

A confirmation of all aſſurances made to Q. Eliz.

8 All Feoffements, Fines, ſurrenders, aſſurances, conueyances, and eſtates, in any wiſe conueyed, had, or made, to, or for your Highnelle, by or from any perſon or perſons, bodies politique or corporat, ſithence 8. Februar. An. 25. Eliz. of any Honors, Caſtles, Mannors, Lands, Tenements, Rents, Reuerſions, Seruices, and other Hereditaments, for any debt, ſumme or ſummes of money, or other conſiderations whatſoeuer (other then conueyances or eſtates heretofore had or made, by any Eccleſiaſticall perſon or perſons, or bodies politique or corporat, not hauing power or abilitie by the Lawes and Statutes of this Realme, to make the ſame) ſhalbe good and auaileable in the law, to all intents, according to the true meaning and purport of the ſame: Sauing to all and euerie perſon and perſons, and to their heires, bodies politique and corporat, and to their ſucceſſors, and euerie of them (other then ſuch perſon or perſons, and their heires, and wiues, being parties or priuies to ſuch conueiances or aſſurances, and euerie of them, bodies politique & corporat, and their ſucceſſors, and euery of them, of, or from whom the Quēne hath had, obtained, or purchaſed, any manors, meſſuages, lands, tenements, rents, reuerſions, ſeruices, or hereditaments, by exchange, gift, bargaine, fine, feoffement, recouerie, deed inrolled, or otherwiſe) all ſuch right, title, intereſt, vſe, poſſeſſion, rents, reuerſions, remainders, offices, fees, commons, profits, and commodities whatſoeuer, which they or any of them, haue, might, or ought to haue had, of, in, or to the Premiſſes, or any part thereof, in as large and ample maner, to all intents, as if this Act had neuer bēne had, ne made: This preſent Act &c. notwithſtanding. 43. Eliz. 1.

A ſauing of the right of others.

A confirmatiō of the Q. grants made to others.

9 As well all and ſingular Letters patents, Indentures, and other writings ſealed vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaſter, or the Seale of the Countie Palantine of Lancaſter, heretofore made

and

and graunted by your Highneſſe, for any ſummes of money, or for and vpon anie other conſiderations, ſithence the ſaid 8. Februarij, Anno 25. Reg. Elizab. as all other Letters patents hereafter to be made by your Highneſſe for any ſumme or ſummes of money or other conſiderations before the laſt day of this preſent Seſſion of Parliament: And moreouer, all other Letters Patents, within the ſpace of one yeare then next enſuing, to be made by force of, or according to the purport or true meaning of the Commiſſion vnder the great Seale of England, now in being for ſale of your Highneſſe lands, to any bodie Politique or Corporat, or to any other perſon or perſons whatſoeuer, of any Honors, Caſtles, Manors, Lordſhips, Graunges, Meaſes, Lands, Tenements, Medowes, Paſtures, Rents, Reuerſions, Seruices, Woods, Aduowſons, Nominations, Patronages, Annuities, Rights, Intereſts, Entries, Conditions, Leets, Courts, Liberties, Priuiledges, Franchiſes, or of any other Hereditaments with their appurtenances, or of any part or parcell of them, ſealed with, or vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaſter, or the Seale of the Countie Palantine of Lancaſter, of whatſoeuer kind, nature, or qualitie they or any of them be, or ſhal be reputed, knowne, or taken, with their appurtenances, or any part or parcell of them, ſhalbe good, perfect, and effectuall in the Law, and ſhall ſtand, be taken, reputed, deemed, and adiudged good, perfect, ſure, auaileable, and effectuall in the Law, againſt your Highneſſe, your heires and ſucceſſors, according to the tenor and effect of the ſayd Letters Patents, Indentures, or other writings, the ſame to be expounded, conſtrued, deemed, and adiudged moſt beneficial for the Patentees and Grauntees of the ſame, and their heires, aſſignes, executors, and adminiſtrators, according vnto the words and purport of euery the ſayd Letters Patents, Indentures, or other writings, without any confirmations, licence, or tolleration of your Highneſſe, your heires or ſucceſſors, Any miſnaming, miſrecitall, or nonrecitall of any the ſame Honours, Caſtles, Manors, Lands, Tenements, and other the Premiſſes, or of any parcell thereof: Or any lacke of finding of Offices or Inquiſitions, of and in the Premiſſes, or any part thereof, whereby the title of your Highneſſe therein ought to haue bene found before the making of the ſame Letters Patents, Indentures, or other writings: Or any miſrecitall, or nonrecitall of Leaſes thereof made, as well of Record, as not of Record: Or any miſrecitall, nonrecital, or not true mentioning in any ſuch Letters Patents, Graunts, or writings of your Maieſties owne eſtate or eſtates, either of freehold, or inheritance, of, or in the premiſſes, or any part thereof, whereunto your Maieſtie hath bene ſithence the beginning of your Raigne, or hereafter ſhall be intituled by any Attainder, Eſcheat, Conueyance, or aſſurance whatſoeuer, and in which Letters patents, Graunts, or Writings, no Eſtate tayle formerly made, or ſuppoſed to be made, haue bene or ſhall be recited, and the Reuerſion or Remainder thereupon expectant in the ſame Letters Patents, Graunts, or Writings graunted or mentioned to be graunted: Or any lacke of the certaintie, miſcaſting, rating, or ſetting forth of the yearely value and rate of the Premiſſes, or any parcell thereof mentioned or contained in any of the ſaid Letters Patents, or other Writings: Or for that the Premiſſes be, or any part thereof is valued at a more or leſſe value in the ſaid Letters Patents, or Writings, then the ſayd Manors, Lands, Tenements, and other the Premiſſes, then were or ſhall be in yearely value: Or any miſnaming, or not true naming of the Townes, Hamlets, Pariſhes, or Counties where the ſame Honors, Manors, Lands, Tenements, Rents, Hereditaments, and other the Premiſſes, and euerie parcell thereof, or any parcell thereof, lien, or bene: Or any lacke of the true naming of the Lands, Tenements, or Hereditaments, or of the natures, kinds, ſortes, qualitie or qualities, of the ſaid poſſeſſions, or hereditaments, or any parcell therof: Or any lacke of the true naming

of the Corporation: Or any lacke of Attournement, Liuerie, or Seisin: Or of any misnaming of any the late Tenants or Farmers of the same Honors, Mannors, Lands, Tenements, and Hereditaments, or any part thereof so sold, granted, or giuen: Or of any misnaming of such person or persons, bodies Politique or Corporat, as at any time before the making of such Letters Patents were, or shall bee owners of the Premisses, or any part thereof, to the contrarie notwithstanding. 43. Eliz. 1.

Patentées of Offices.

10 But this Act shall not extend to make any Letters Patents of any office or offices to be of any other effect, force, or strength, then the same Letters Patents were, or should haue bene before the making of this Act. Prouided also, that al and singular such Patentes, Graunteés, and Donées, and euerie of them, which at any time heretofore sithence the said 8. day of Februarie, haue obtained and gotten of your Highnesse, or at any time hereafter before the last day of this Session of Parliament, or within the space of one yeare then next ensuing shall obtaine and get of your Highnesse by way of exchange, or for any summe or summes of money, or other considerations, any Letters patents of any manors, lands, tenements, or hereditaments whatsoeuer, which at the date of the said Letters patents were or shal be of better and more yearely value to your Highnesse, and so answered in yearely rent and farme, then was, is, or shalbe contained, mentioned, and specified in any such Letters Patents, or in the particulars and rates thereof, made, or to be made by any Auditor or Auditors, Surueior or Surueiors, or other Officer, That then euerie such Patentée, Grauntée, or Donée, their heires, executors, or assignes, and euerie of them, within one yeare next after office, or other due prose, order, and decrée thereof made and had, or to be made or had within the space and terme of ten yeres, next after the end of this present Session of parliament in the Court of Exthequer, shall content and pay vnto your Highnesse, your heires and successors, for the same ouerplus, and more value of the same manors, lands, tenements, and other hereditaments whatsoeuer, with their appurtenances so sold, giuen, granted, or exchanged, as is aforesaid, after the rate of three score yeres purchase, according to such yearely value and rate as the same manors, lands, tenements, and other hereditaments whatsoeuer were of, and were answered for at the time of the making of any such Letters Patents, so made, or to be made in maner and forme aforesaid: Any thing contained in any such Letters patents to the contrarie in any wise notwithstanding. 43. Eliz. 1.

Recompence for ouerplus.

Lx. yeares purchase.

Graunts whereunto this Statute doth not extend.

11 Prouided also, that this Act, or any Prouiso therein contained, shall not in any wise extend to confirme, ratifie, or make good any Lease or Leases made or to be made by your Highnesse for terme of life, liues, or for yeares, wherupon the old and accustomed rents, or more, or as much in value, or more, proportionably for the lands and tenements so demised, or to be demised, be not, or hereafter shall not bee reserued and yerely payable during the time and terme of euerie such Lease: Nor that this Act shal in any wise extend to reuiue, and make good any Letters patents made of any office or offices, to any Comptroller, Customer, Aulneger, Searcher: Nor to any Letters patents, of the graunt of any other office or offices heretofore granted or made by your Highnesse, which now be, or at any time heretofore haue bene made void, by iudgement, by authoritie of Parliament, or by decrée: Nor to any Patents to be made to any person or persons for terme of yeares, or during the minoritie of any Heire of any Manors, Lands, or Tenements, whereof any trauerse hereafter shall be tendered within three Moneths after any Office found and certified into any your Highnesse Courts of Record: Ne to make any Letters patents made by your Highnesse, of any Office or Offices to be of any other force or strength, then the same Letters patents were or should haue bene before the making of this Act. 43. Eliz. 1.

12 Prouided alſo, that this Act ſhall not extend to any Letters patents, or any gift or graunt therein contained, which at any time heretofore haue bæne, or hereafter before the laſt day of this Seſſion of Parliament ſhall be made by your highneſſe, to any perſon or perſons, of any manors, lands, tenements, rents, reuerſions, ſeruices, or other hereditaments, by force of any Information, ſuit, or ſuggeſtion, made or to be made to your highneſſe, that the ſame manors, lands, tenements, and other hereditaments ſo contained in any ſuch Letters patents were concealed lands, or that the ſame, or the profits thereof, were vniuſtly withholden from your Highneſſe, but the ſame Letters patents, and euery of them ſhal ſtand, and be, in the ſame force, ſtrength, and effect, as they were before the making of this Act: Any thing &c. notwithſtanding. 43. El. 1 — Patents of concealed lands.

13 And yet neuertheleſſe, be it declared and enacted by authoritie of this Parliament, that no Letters patents, nor any gift or graunt in them contained, made or to be made, by warrant of your Maieſties Commiſſioners, authorized to make compoſitions with your Subiects for new Letters patents, or graunts to be made vnto them, are, or ought to be taken, or ſhalbe deemed and taken to bæ made by force of any Information, Suit, or Suggeſtion, that the manors, lands, tenements, or other hereditaments, contained in the ſame letters Patents were concealed lands, but that they and euery of them ſhall be within the full meaning of this Act, to be forfeited and made good, as other Letters patents, made without any ſuggeſtion or information of concealement, or vniuſt withholding, bæne. 43. Eliz. 1. — Compoſition with commiſſioners.

14 Prouided alwaies, That this Act ſhall not extend to be taken to make good any Letters patents, Indentures, or other writings, or any graunt in them or any of them contained, which heretofore haue bin adiudged or decreed to be void in any of your Ma. Courts of Record at Weſtm. or by any Act of Parliament: Nor to make good any Letters patents, or any Grant in them, or any of thē contained, of, or concerning Licences, Powers, or priuiledges, commonly called Monopolies: Nor to make good any Letters patents, or Graunts, of, or cōcerning power, Licence, Libertie, or authoritie giuen for execution of any penall ſtatute, or ſtatutes, or for tolleration or diſpenſation, of, to, or with any offence prohibited by any penall ſtatute or ſtatutes: Nor to make good any Letters patents, to William Kirkham gentleman, or to any other by his procurement, concerning which there hath bin any Act of parliament made heretofore, or any ſuit in your Ma. Court of Starchamber, or Chauncerie. Sauing to all and euery other perſon or perſons and bodies politique & corporat, their heires & ſucceſſors, & euery of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rents, ſeruices, commons, and al other profits & commodities whatſoeuer, as they or any of them ſhould or might haue had before the Letters patents therof made, if this act had neuer bin had ne made: Any thing therein contained to the contrary notwithſtanding. 43. El. 1. — Patents declared to be void. Monopolies. Patents touching penal Stat. Kirkham. Saning of the right of others.

15 This act ſhal not extend to make good any Letters patents, or grant of the premiſſes, or any part thereof, whereof there was or ſhalbe any good and lawfull eſtate Tayle heretofore made by your Maieſtie, or any your progenitors, or hereafter to be made by your Maieſtie, vnleſſe ſuch eſtate Tayle be duely recited: Neither this Act ſhall extend to make good any Letters patents, heretofore made by your Maieſtie, ſithence Anno 25 of your Raigne, to any perſon or perſons, and their heires, for and concerning the manors, graunges, lands, tenements, tithes, and other hereditaments whatſoeuer, ſet, lying, and bæing in the ſeuerall pariſhes of Bakewell and Hartington, in the Countie of Derby, and in the ſeuerall pariſhes of Rowceſter, alias Roceſter, and Blower in the Countie of Stafford, mentioned or intended to haue bin conueyed vnto Francis late Earle of Shrewſburie, by King H. 8. by his Letters patents, bearing date at Weſtminſter 22. Nouembris — Patents of lands entailed. Bakewell. Hartington. Roceſter. Blower.

Nouembris, Anno 33. H. 8 But for and concerning all other manors, lands, tenements, and hereditaments, contained in any such Letters patents, made since the fiue and twentieth yeare of your raigne, the same shall be within the remedies and prouisions of this Act, according to the purport and meaning of the same. 43. Elizab. 1.

John May. 16 This Act shall not extend to the ratifying or making good of any lease made by Iohn May, late Bishop of Carliel deceased to your Maiesty, which was not inrolled before the first day of this Session of Parliament. 43. El. 1.

A confirmation of the patents of K. H. 8. 17 Anno 34. & 35. H. 8. 21. The like Statute was made, confirming all letters patents, Indentures, and other writings, made, or granted to any person or persons &c. by the said King, vnder the great Seale of England, the seale of the Dutchie of Lancaster, or the seale of the Court of Augmentations, sithence 4. Feb. An. 27. H. 8. vntill 12. Maij, Anno 35. of his raigne, and to be made 7. yeares after, notwithstanding any misnaming, misprision, misrecitall &c. (vt supra.) And also confirming all exchanges, fines, feoffements, recoueries, deedes inrolled, &c. made within the foresaid time, by any persons to the said K. of any lands, tenements, or hereditaments, &c. notwithstanding any misrecitall, misnaming, nonrecitall, or not naming of any of the said lands &c.

Abbey lands which came to King H. 8. 18 All and euery honours, manors, lands, tenements, and hereditaments, which at any time heretofore were the possessions of any Abbey, Monasterie, Priorie, Nunnerie, or other Religious or Ecclesiasticall house or houses, and which after 4. Feb. Anno 27. H. 8. came to the hands or possession of the said late K. H. 8. or which were put in charge, to, or for his Highnesse in his Court of Exchequer, or any other Courts of the said late King concerning his reuenues, or by any Auditor, or other officer of the said late King, or which after the said 4. Feb. Ann. 27. H. 8. were graunted or conueyed, or mentioned to be graunted or conueyed, in or by any Letters patents whatsoeuer made by the said late King H. 8. to any person or persons, body politique or corporat, were and shalbe reputed, taken and adiudged to haue bene lawfully and perfectly in the actuall and reall possession of the said late King and his heires and successors, at such time as the same did so come to his Maiesties hands and possession, or were so put in charge, or graunted or conueyed by the said late King H. 8. as aforesaid: Notwithstanding any defect, want, or insufficiencie, of, or in any surrender, graunt, or conueyance of the same honors, manors, lands, tenements, or hereditaments, or any part thereof, to the said late K. H. 8. or any other matter or cause whatsoeuer, by which his highnes was or might haue bin intituled to the same. 35. El. 3.

K. H. 8. letters patents for the foundation of dean & Chapiter, or Colledge. 19 All and singular Letters patents made by the said King H. 8. at any time after the said 4. Feb. An. 27. H. 8. for the erection, foundation, incorporation, or indowment of any Deane and Chapiter, or Colledge, were and shalbe reputed, taken, and adiudged, to haue bin good, perfect, and effectuall in the law for all things therein contained, according to the true intent and meaning of the same: any thing, matter, or cause, to the contrarie thereof in any wise notwithstanding. 35. Elizab. 3.

Other mens right saued. 20 Sauing alwaies vnto all person and persons, bodies politique and corporat, their heires and successors, and euery of them, (other than the late Abbots, Abbesses, Priors, Prioresses, and other Gouernors of such abbies, monasteries, priories, nunneries, and other Religious & Ecclesiastical houses, and their successors, and such as pretended to be Founders, Patrons, or Donors of the same, or any of them, or of any manors, lands, tenements, or hereditaments, belonging to the same, or to any of them, and their and euery of their heires and successors) all such right, title, interest, claime, and demaund, as they or any of them, or their, or any of their auncestors, or predecessors, might, or ought to haue had, of, in, to, or

out

out of any such honors, manors, lands, tenements, or hereditaments, before the said 4. Feb. Anno 27. H. 8. or before the making of such letters Patents by the said K. H. 8. as if the said letters Patents made by the said K. H. 8. and the foresaid Statute made in the said 34. yeare of his raigne, and this present act had neuer bin made: this act or any thing therein contained to the contrarie notwithstanding. 35. El. 3.

21 Anno 1. Ed. 6. 8. the like statute was made, confirming all letters patents, Indentures, or other writings made or graunted, to any person or persons &c. by the said King, vnder any of the foresaid three seales, sithence 28. Ian. Anno 1. Ed. 6. and to be made during the said Kings life, notwithstanding any misnaming, misrecitall &c. A confirmation of the patents of k. E. 6

22 Anno 7. Ed. 6. 3. A statute was made, confirming all letters patents made by King H. 8. sithence 4. Feb. Anno 27. of his raigne, and by King E. 6. sithence 28 Ian. Anno 1. of his raigne, or to be made during his life, of bargaines and sales, gifts, exchanges, &c. notwithstanding the lacke or losse of the particulers, or the bill assigned of the patents, & notwithstanding the nonage of the said K. E. 6. as Duke of Lancaster, or any Act, statute, or lawes, for, or concerning any tenures or reseruations of rents or tenths to the contrarie &c. A confirmation of the patents of k. H. 8. and k. E. 6.

23 Anno 4. & 5. P. & M. 1. A statute was made confirming all letters patents, Indentures, and other writings made by the said King and Quéene, or by ỹ said Quéene, vnder the great Seale of England, or the seale of the Dutchie of Lancaster, sithence 7. Iul. anno 1. M. vntill 7. Mar. Ann. Dom. 1557. and to be made by the said king and Quéene during seauen yeares after the said seauenth day of March, notwithstanding any misnaming, misrecitall &c. vt supra, And also confirming all feoffements, fines, surrenders, &c. made within the foresaid time by any person, bodie politique, or corporate, to the said King and Quéene, or to the said Quéene of any lands, tenements, or hereditaments. S. 1. M. 2. and 1. & 2. Phil. & M. 1. A confirmation of the patents of k. P. and Qu. Mar.

24 Euery person to whom the king shall grant the custody & Wardship of any of his Wards, shall vpon his bill assigned thereof, sue forth his patent within foure moneths next after the assignement of the said bill, or else the same bill, & the effect thereof shall be vtterly void. 32. H. 8. 46. within what time a patent shall be sued forth of a wardship or liuerie.

25 And euery person to whom the King shall graunt any Liuerie to be sued vpon his bill assigned thereof, with the K. hand, or with the hands of the officers of his Court of Wards & Liueries, shall sue forth his patent within ix. moneths next after the assignement of the said bill, or else the same bill, & effect thereof shall be vtterly void. 33. H. 8. 22.

26 If a patent be made to any person, of lands seysed into the Kings hands vpon an Enquest taken before an Escheator or Commissioner, or any of the same lands letten to farme by any of the kings officers, vntill the same Enquest be returned into the Chancerie or Exchequer, and that the lands haue remained in the kings hands, vntill such Enquest be returned and one moneth after, the patent shall be void, except such as doe find themselues greeued by the same Enquests doe come into the Chauncerie within three Moneths after the same office put into the Chauncerie, or Exchequer, & do offer to trauerse the Enquest, and to take the same lands to farme, shewing good euidence, prouing their Trauerse to be true, to whom the lands shall be let to farme, to hold vntill the issue vpon the same trauerse be found for the king, or the partie finding sufficient suretie to pursue the said trauerse with effect, and to pay to the king the rent, if by right it be his. And then all other patents made thereof within the ix. Moneths shall be void. 36. Ed. 3. 13. 8. H. 6. 16. 18. H. 6. 6. 1. H. 8. 10. A patent of lands seised vpon an Enquest taken before an Escheator.

1 Wherein an assise doth lie against the kings patentee. S. Assise 5.

2 A Pa-

2 A Patent graunted of the office of a Shirife or Vnderſhirife, in fee, for life, or yeares, ſhall be void. S. Shirife 4.

3 Knights fees, Aduowſons, and Dowers doe not paſſe by Patent without ſpeciall words. S. Prerogatiue 15.

4 How long a Patent made to an Eſcheator for that office ſhall endure. S. Eſcheator 8.

5 Of what offices there ſhall be no eſtate graunted by Patent, but the Officers ſhall be remooueable. S. Officers 3.

6 A Patent made to a Victualer to be a Purueyor for the Kings cariage is void. S. Purueyor 12.

7 What things ſhall be put in euery Patent graunted, to make an Alien Denizen. S. Aliens 14.

8 An Exemplification of a Patent ſhall be of the ſame force that a Patent is. S. Exemplification 1.

9 Where a patent may be made void, by being retained, wearing his liuerie, or doing ſeruice to another. S. Liuery 7.8.

10 Patents or writings of any parcell of the Earldome of March. S. 4. Hen. 7. 14.

Periurie.

Procuring wilfull periurie.

EVery perſon and perſons which ſhall vnlawfully and corruptly procure any witneſſe or witneſſes, by Letters, Rewards, promiſes, or by any other miniſter and vnlawfull labour, or meanes whatſoeuer, to commit any wilfull and corrupt Periurie in any matter or cauſe whatſoeuer, depending in ſuit and variance, by any writ, action, bill, complaint, or information, in any wiſe concerning any lands, tenements, or hereditaments, or any goods, cattels, debts, or dammages, in any of the Courts of the Chauncerie, Starre chamber, Whitehall, or in any other of the Quænes Courts of Record, or in any Léte, view of Francke pledge, or Lawday, Auncient demeſne Court, Court Hundred, Court Baron, or in the Court or Courts of the Stannerie in the Counties of Deuon, and Cornewall, or ſhall likewiſe vnlawfully and corruptly procure or ſuborne any witneſſe or witneſſes, which ſhall be ſworne to teſtifie In perpetuam rei memoriam: Then euery ſuch offendor or offendors, ſhall for his, hers, or their ſaid offence béeing therof lawfully conuicted, or attainted, forfeit xl. pounds to the Quæne and partie grieued &c. that will ſue by A. I. B. P. &c. wherein no W. &c. E. P. I. &c. And if it happen any ſuch offendor or offendors béeing ſo conuicted or attainted as aforeſaid, not to haue any goods or cattels, lands or tenements, to the value of fourtie pounds, then euery ſuch perſon or perſons ſo conuicted or attainted of any of the offences aforeſaid, ſhall ſuffer impriſonment one halfe yeare without baile or mainprize, and ſtand vpon the Pillorie one whole houre, in ſome Market Town, where, or nert adioyning to the place, where the offence was committed in open Market there. And no perſon or perſons béeing ſo conuicted or attainted, &c. ſhall be from thenceforth receiued as a witneſſe to be depoſed in any Court of Record, within any of the Quænes dominions of England, Wales, or the Marches of the ſame, vntill the iudgement giuen againſt him or them, ſhall be reuerſed by Attaint, or otherwiſe. And vpon euery ſuch reuerſall the parties grieued ſhall recouer his or their dammages againſt all and euery ſuch perſon and perſons, as did procure the ſaid iudgement ſo reuerſed to be firſt giuen againſt them, or any of them, by action to be ſued vpon his or their caſe, according to the courſe of the common law. 5. El. 9. S. Maintenance 4.

2 If any perſon or perſons, either by the ſubornation, vnlawfull procure-

ment,

ment, ſiniſter perſwaſion, or meanes of any others, or by their owne act, conſent, or agreement, ſhall wilfully and corruptly commit any manner of wilfull Periurie by his or their depoſition in any of the Courts before mentioned, or being examined Ad perpetuam rei memoriam: then euery perſon or perſons ſo offending, and being thereof duely conuict or attainted by the Lawes of this Realme, ſhall for his or their ſaid offence loſe and forfeit xx. l. to the Quæne and partie grieued &c. that will ſue by A. I. P. &c. wherein no W. &c. E. P. I. &c. and ſhall haue ſire Moneths impriſonment, without baile or mainprize, and his oath from thenceforth ſhall not be receiued in any Court of Record &c. vntill the iudgement giuen againſt him ſhall be reuerſed by Attaint, or otherwiſe. And vpon euery ſuch reuerſall, the partie grieued ſhall recouer his dammages againſt all and euery ſuch perſon and perſons, as did procure the ſaid iudgement ſo reuerſed, to be giuen againſt him, by action to be ſued vpon his caſe &c. And if the ſaid offendor haue not any goods or cattels to the value of twentie pounds, then he ſhall be ſet on the pillorie in ſome Market place, within the Shire, Citie, or Borough, where the ſaid offence ſhall bee committed, by the Shirife or his Miniſters, if it be without any Citie, or Towne Corporate: And if it be within any Citie or towne Corporate, then by the head Officer or Officers of the ſame Citie &c. or by his or their miniſters, and there ſhall haue both his eares nailed, and from thenceforth be diſcredited and diſabled for euer to be ſworne in any of the Courts of Record aforeſaid, vntill the iudgement ſhall be reuerſed, and thereupon ſhall recouer his dammages in manner and forme before mentioned. 5. El. 9.

Committing wilfull periurie.

Periurie cõmitted in any eccleſiaſticall Court.

3 But this act doth not extend to any Eccleſiaſticall Court within England, Wales, or the Marches of the ſame, but euery ſuch offendor, as ſhall offend in forme aforeſaid, ſhall and may be puniſhed by ſuch ordinarie lawes, as heretofore hath beene, and yet are vſed in the ſaid Eccleſiaſticall Courts. 5. El. 9.

4 As well the Judge and Judges of euery ſuch Court, where any ſuch ſuite ſhall bee, whereupon any ſuch periurie ſhall be committed, as alſo the Juſtices of Aſſiſe and Gaole deliuerie in their ſeuerall circuits, and the Juſtices of peace at their quarter Seſſions, haue power to enquire of, heare, and determine all the offences committed contrarie to this act, by inquiſition, preſentment, bill, or information. And the Juſtices of Aſſiſe of euery circuit within this Realme, and elſewhere within the Quænes dominions, ſhall in euery Countie within their circuits, two times in the yeare, that is to ſay, in the time of their ſittings make open proclamation of this Statute, or of the effect thereof, to the intent, that no perſon ſhall be ignorant of the penalties herein contained. But this Statute doth not reſtraine the power giuen by a Statute made Anno 11. H. 7. 25. to the Lord Chancellor and others of the K. Councell, to examine and puniſh riots, routs, hainous periuries, and other offences, (which haue vſed to heare and determine ſuch matters in the Star Chamber at Weſtminſter) nor to reſtraine the power of the Lo. Preſident and Councell in the Marches of Wales, or in the North, nor of any other Judge hauing abſolute power to puniſh periurie, before the making of this Statute. But they and euery of them ſhall and may proceed in the puniſhment of all offences, heretofore puniſhable, in ſuch wiſe, as they might haue done and vſed to doe before the making of this act, to all purpoſes, ſo that they ſet not vpon the offendors leſſe puniſhment than is contained in this Act. 5. El. 9. 29. El. 5. 1. Iac. 25. S. Iuſtices of Peace 23.

Periurie puniſhable in the ſtar chamber & other courts

1 Where, in what caſes, and in what manner periurie ſhall be puniſhed by Attaint. S. Attaint.

Pewter,

Pewter, Braſſe, Pewterers.

Pewter ſhall be ſold in faires & markets & in the owners houſe onely.

NO perſon or perſons vſing the craft of Pewterers and Braſſers, ſhall ſell or change any Pewter, or Braſſe, new, or old, at any place within this realm, but onely in open faires, markets, or in their owne dwelling houſes, but if they be deſired by the buyers of ſuch wares, vpon paine of forfeiture for euery ſuch default to the King, and to him that will ſeize or preſent the ſame, or that will ſue for the ſame by A. I. ꝛc. r. pounds, wherein no W. E. P. ꝛc. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Of whatgodneſſe pewter & braſſe veſſel ought to be.

2 If any perſon either worke or caſt any pewter veſſel or braſſe at any place within this realme, except it be as good fine mettall, as is the pewter & braſſe, caſt and wrought after the perfect goodnes of the ſame within the Citie of London, and by the ſtatutes of the ſame ought to be, he ſhall forf. to the vſe of the K. and the finder thereof, or of him that will ſeiſe or ſue for the ſame by A. I. ꝛc. all ſuch pewter & braſſe ſo caſt, and wrought of worſe pewter and braſſe ꝛc. But this forfeiture ſhall not extend to braſſe or pewter, being in the poſſeſſion of any perſon, other than the workers of the ſame, or ſuch as haue the ſame to ſell, and beeing of the Crafts or myſterie ꝛc. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Hollow wares.

3 No perſon ſhall make any hollow wares of pewter, viz. Salts, and Pots that are made of pewter, called lay mettall, but that it be after the aſſiſe of pewter lay mettall wrought within London. And the makers of ſuch wares ſhall marke the ſame with ſeuerall markes of their owne, to the intent that they ſhall auowe the ſame wares by them wrought, and all ſuch wares not ſufficiently made, and not marked in forme afore ſaid, found in the poſſeſſion of the ſame maker, or ſeller, ſhalbe forfeited. And if the ſame ware be ſold, the maker ſhall forfeit to the vſe of the King, and of the finder, or ſearcher, or of him that will ſeiſe or ſue for the ſame by A. I. ꝛc. the value of the ſame ware ſo vnlawfully wrought and ſold. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Marking of veſſel.

Occupying falſe beames & weights about braſſe & pewter.

4 If any perſon vſing buying and ſelling of pewter or braſſe, doe occupie any deceiueable, vntrue, or falſe beames, or weights of the ſaid wares, hee ſhall forfeit to the K. and the partie that will ſue by A. of debt, rr. s. wherein no P. E. ꝛc. And alſo the partie ſo offending, ſhall forf. his beame to him that ſhall ſeiſe it. And if the ſaid offendor be not ſufficient to pay his ſaid ſumme by him ſo forf. then it is lawfull to the Mayors, Bailifes, and other head Officers of ſuch places where any offendors ſhalbe found, to put him in the ſtockes, & ſo to keepe him vntill the nert market day, nert adioyning, and in the market place to put him on the pillorie all the market time. 19. H. 7. 6. 4. H. 8. 7.

Searchers of pewter and braſſe.

5 It ſhalbe lawfull for the Maſter and Wardens of the Craft of Pewterers within euery Citie and Borough where ſuch Wardens are, and where no ſuch Wardens are, for the head Officers or Gouernors of the ſame City or Borough, to appoint certaine perſons, moſt expert in knowledge of the ſame, to make ſearch in the ſaid Cities or Boroughs where they dwell. And the Iuſtices of Peace in euery Shire, at their generall Seſſions holden at Michaelmas, ſhall appoint two perſons hauing experience therein, to make ſearch in the premiſſes, in euery part of that ſhire, as well within Franchiſes as without, (ſauing in Cities and Boroughs, where ſearchers be appointed by the gouernours of the ſame.) And al ſuch vnlawfull pewter, or braſſe, as the ſaid ſearchers ſhall find, ſhall be to the vſe of the King and of the ſaid ſearchers. And in default of the ſaid Maſters & Wardens of the ſaid occupations, not ſearching in forme aforeſaid, & whereby any ſuch vnlawfull mettall is caſt or made, or vnlawfull weight vſed, it ſhall be lawfull to any perſon hauing ſufficient cunning in the ſaid occupations, by ouerſight of ỹ Mayor,

or, Bailifes, or head Officers in the ſaid Cities, Boroughs, & Townes, to ſearch all the ſaid places, & to put the ſaid authoritie and act in execution, in forme aforeſaid. 19. H. 7. 6. 4. H. 8. 7. S. Iuſt. of P. 62.

Searchers of tinne or pewter veſſel.

6 If any deceiueable workemanſhip of Tinne or Pewter, be found either in chargers, platters, diſhes, ſawcers, porringers, trenchers, balons, flaggons, bottels, pots, ſaltſellers, goblets, ſpones, cruets, or candleſtickes, or any other ſuch wares of Tinne or Pewter, whatſoeuer it be, caſt or wrought within this realm, or without, and brought to be ſold within this Realme, it ſhall be lawfull to the Mayor of London, and the Maſters and Wardens of the Craft of Pewterers of the ſaid Citie, and their deputies, to haue ſearch of the ſame within the Citie of London, and the Suburbs of the ſame. And in all other Cities, Boroughs, and Townes, where any Wardens be or ſhalbe, the Mayors, Bayliſes, or head Officers, and Wardens ſhall haue like authoritie, and where no Wardens be, then the head Officers or Gouernours of the ſame Cities, Boroughs, and Townes, ſhall haue authoritie to appoint certaine perſons, moſt cunning in knowledge of the ſame, to make ſearch within the ſaid Cities, Boroughs, and Townes where they dwell. And if any ſuch new wares, wrought of Tinne and Pewter, be found defective, and being in the poſſeſſion of the ſeller, then the ſame perſon that putteth any ſuch new wares of Pewter to ſale, ſhall forfeit the ſame wares to the King, and ſearchers or finders, or to him that will ſeiſe or ſue for the ſame by A. I. &c. wherein no W. &c. E. P. &c. But this act concerning the forfeitures, ſhall not be preiudiciall to any perſon hauing the Graunt of King Hen. 8. or of any of his progenitors, by his letters patents, of ſuch forf. But euery of them ſhall enioy the ſame, according to their Graunts and Liberties. 4. H. 8. 7. 25. H. 8. 9. 33. H. 8. 4.

wares of tin made out of this realme.

7 No perſon inhabiting within this Realme, ſhall buy or take by exchange, for other wares, any wares made out of this Realme, of Tinne, or mixt with Tinne, as platters, diſhes, ſaucers, pots, baſons, ewers, flaggons, goblets, ſalts, ſaltſellers, ſpones, or any other thing made of Tinne, or Pewter, whatſoeuer it be, vpon paine of forf. (to the vſe of the king and the finders thereof) of the ſame wares, in whoſe hands ſoeuer it may be found or taken, and alſo lawfull money currant in this Realme, to the full value thereof. And it is lawfull to the Maſters and Wardens of the Craft of Pewterers within euery Citie, Borough, & towne of this Realme, where ſuch Wardens be, and where no ſuch Wardens be, to the head Officers or Gouernors of the ſame Citie &c. to appoint diuers perſons moſt expert in knowledge of the ſame, to make ſearch and ſeiſure of all ſuch wares, as ſhalbe brought, contrarie to the true intent of this Act, in whoſoeuer poſſeſſions any ſuch ſhalbe found. 25. H. 8. 9. And if any perſon do vnlawfully withſtand, diſturbe, or let the ſaid Maſter and Wardens, or their deputies, or any of the head Officers or Gouernors of Cities, townes, or boroughs, wherein no ſuch maſters or wardens are, in ſearching and ſeiſing ſuch wares as ſhall be brought into this Realme, contrarie to the forme aforeſaid, Then euery ſuch perſon ſo offending, ſhal forf. for euery time ſo doing to the vſe of the K. and I. v. l. to be rec. by A. I. &c. wherein no W. E. P. &c. 33. H. 8. 4.

withſtanding ſeiſure.

No ſtranger borne ſhall worke pewter.

8 No Stranger borne out of this Realme ſhall vſe the ſaid Craft of Pewterers, nor worke any manner of veſſell, or other ware aforeſaid, to be made of Tin or Pewter, within any place of this Realme, vpon paine of forf. of x. l. to the vſe of the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. And alſo vpon paine of forf. of the ſame pewter or tinne ſo wrought, in whoſe hands ſoeuer it may be found, or taken. 25. H. 8. 9. 33. H. 8. 4.

No pewterer ſhall teach or vſe his trade in a forreine region.

9 No perſons being borne within this Realme, occupying or exerciſing ỳ ſaid craft of pewterers, ſhall reſort into any ſtrange regions, or countries, there to

teach, or exercise the said craft of Pewterers, vpon paine to lose the priuiledge and benefit of an English man. 25. H. 8. 9. 33. H. 8. 4.

Phiſitions.

The Phiſitions in Londō made a body corporat.

KIng Henrie the eight by his letters patents bearing date at Westminster the xxiiij. day of September, in the tenth yeare of his raigne, did erect, constitute, ordaine, and appoint a perpetuall Colledge of graue and learned men, which should openly practise Physicke, within the Citie and Suburbs of London, and within seauen miles euery way round about the same citie, And did graunt that all men of the same facultie, of, and in the said citie, should bee in deed and name one bodie and a comminaltie, or colledge perpetual. And that the same Comminaltie or colledge may yearely for euer chose and make of their Comminalties some wise man, and expert in science of physicke, to be president of the said Colledge or comminaltie, to ouersee, correct, and gouerne for the yere, the foresaid colledge or comminaltie, and all men of the same facultie and their affairs. And that the same President, and colledge, or comminaltie, should haue a perpetuall succession, and a common seale continually to be imployed vnto the businesse and vse of the said president and colledge. And that they and their successors for euer shall be persons able, and of sufficient capacitie to purchase and possesse in fee and perpetuitie, any Lands, Tenements, Rents, and other possessions whatsoeuer. And that they and their Successors might purchase as well within the citie as without, any Lands and Tenements whatsoeuer, not exceeding the value of xx. l. by the yeare, notwithstanding the Statute of Mortmaine. And that they by the names of the President of the Colledge or Comminaltie of the facultie of physicke in London, may implead and be impleaded before any Judges, in any Courts or actions whatsoeuer. And that the foresaid president, and colledge, or comminaltie, and their Successors may lawfully make honest and lawfull Congregations, Statutes, and Ordinances, for the gouernment, ouersight, and correction of the said colledge or comminaltie, and of all men practising physicke within the said citie, and seauen miles round about, as necessitie requireth, without impediment of the King, his Heires, Successors, or any of his Officers. And that no man in the said citie, or within seauen miles compasse thereof, shall practise the said facultie, except he bee admitted thereunto by the said president and comminaltie, or their successors for ỳ time being, by the letters of the said president and comminaltie, sealed with their seale, vpon paine of a C. s. for euery moneth, that any which is not admitted, shall practise the foresaid facultie, whereof one halfe to be imployed to the Kings vse, and the other to the vse of the president and comminaltie. And that the president and Colledge of the foresaid comminaltie, for the time beeing, and their successors for euer shall yearely chose foure, which shall haue the Suruey, Search, Correction, and Gouernance of all the physitions of the said citie, vsing the facultie of physicke, within the same citie, and of other forraine physitions whatsoeuer, vsing the same Facultie within the same citie and Suburbs, or within seauen miles compasse of the same citie, and the punishment of them for their offences, in not well executing, doing, and vsing thereof, and also the suruey and search of all manner of Medicines, and their receits to be giuen, imployed, and vsed by the same physitions, or any of them, to any of the Kings liege people, for the curing and healing of their diseases, as often and whensoeuer it shall be needfull for the profit of the same people, so that the punishment of the same physitions, vsing the said facultie, so offending in the premisses, be executed by Fines, Amerciaments, Imprisonment of their bodies, and by other reasonable and conuenient wayes. And that neither the president, nor any of the said College of physitions,

A common seale.

Sue, and be sued.

Ordinances.

Foure gouernors.

ons,

ons, nor their Succeſſors, nor any of them practiſing phiſicke within the foreſaid Citie, Suburbs, or elſewhere, ſhall be ſummoned, or put in Aſſiſes, Iuries, Enquells, Inquiſitions, Attaints, and other Recogniſances taken or ſummoned within the ſaid Citie and Suburbs, before the Mayor and Sheriſes, or Coroners of the ſaid Citie, or any Officer or Miniſter of theirs, though the ſame Iuries, Inquiſitions, or Recogniſances, were ſummoned vpon Writs of Right. But the ſaid Makers, Gouernours, Comminaltie, and their Succeſſors, and euery of them, practiſing the ſaid Facultie, ſhall be for euer diſcharged againſt the ſaid King, his Heires, and Succeſſors, and againſt the Mayor and Sheriſes of the foreſaid Citie, for the time being, and all their Officers. In which Letters patents there is a Proviſo, That the ſaid Letters, or any thing therein contained, ſhall not bee preiudiciall to the Citie of London, or the liberties thereof.

Not ſummoned in Iuries.

The liberties of London ſaued.

2 After by the Statutes made 14. H. 8. 5. & 1. Ma. 9. the ſaid Corporation of the ſaid Comminaltie, and Fellowſhip of the Facultie of Phiſicke, & euery grant, article, and other thing contained in the ſaid Letters Patents, be proued, graunted, & confirmed, & clerely authorized & admitted by the ſame, good, lawful, auaileable to the ſaid bodie corporat & their ſucceſſors for euer, in as large manner as may be taken, thought, and conſtrued by the ſame.

The corporations of Phiſitions confirmed.

3 There ſhall be eight perſons of the ſaid Comminaltie, which ſhall be called Elects, and the ſame Elects ſhall yearely chooſe one of them to be preſident of the ſaid comminaltie, and as often as any of the roomes of the ſaid Elects ſhall be void by death, or otherwiſe, then the ſuperuiuors of the ſame Elects, within 30. or 40. daies after the death of any of them, ſhall chooſe and admit one, or more, as need ſhall require, of the moſt cunning and expert men of the ſaid Facultie in London, to ſupply the ſaid roome and number of eight perſons, ſo that he or they that ſhall be ſo choſen, be firſt by the ſaid ſuperuiuors ſtraitly examined, after a forme deuiſed by the ſaid Elects, and alſo by the ſaid ſuperuiuors approued. Anno 14. Hen. 8. 5.

Eight Elects

& Preſident.

4 Whenſoeuer the preſident of the ſaid colledge &c. or ſuch as the ſaid preſident and colledge ſhall yearely authorize to ſearch, examine, and punish all offendors in the ſaid Facultie, within the ſame citie and precinct, ſhall commit any ſuch offendor for his offences or diſobedience (contrarie to any article or clauſe contained in the ſaid Graunt or Act made 14. H. 8.) to any Ward, Gaole, or priſon within the ſaid citie and precinct, (the Tower of London except) Then the Warden, Gaoler, or Keeper of the priſon ſhall receiue into his priſon euery ſuch perſon ſo offending, as ſhalbe ſo committed to him, & there ſhall ſafely keep him at the proper coſts of the ſaid perſon ſo committed, without baile, or mainepriſe, vntil ſuch offendor or diſobedient be diſcharged of the ſaid impriſonment by the ſaid preſident, and ſuch perſons as by the ſaid colledge ſhall be authorized, vpon paine that euery ſuch Warden, Gaoler, &c. doing contrarie, ſhall forfeit to the vſe of the King, and the ſaid preſident and colledge, the double of ſuch fine and amerciament, as ſuch offendor or diſobedient ſhalbe aſſeſſed to pay by ſuch as ỹ ſaid preſident & colledge ſhal authorize, ſo that the ſame fine and amerciamẽt be not at any time aboue xx. l. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 1. M. 9.

Impriſonment of offendors.

5 The preſident of the ſaid comminaltie, and euery Fellow thereof, & their ſucceſſors ſhalbe diſcharged to keep any watch or ward in the citie of London, or ſuburbs of the ſame. And they nor any of them ſhalbe choſen Conſtable, or any other Officer in the ſaid Citie or Suburbs. And if the ſaid preſident or any of the ſaid Fellowes be appointed or elected to any watch or ward, office of Conſtable, or other office within the ſaid Citie or Suburbs, the ſame appointment and election ſhalbe void. 32. H. 8. 40.

Phiſitions diſcharged to be Officers in London.

Euery Phyſition ſhal be allowed by the Biſhop of the Diotes.

6 No perſon out of the Citie of London, and Precinct of ſeauen miles of the ſame (except he hath bin approued in the ſame) ſhall take vpon him to exerciſe and occupie as a Phyſition in any Dioces within this Realme, but if he hath bẽ firſt examined and approued by the Biſhop of the ſame Dioces, or (he beeing out of the Dioces) by his Vicar generall, either of them calling to them ſuch expert perſons in the ſaid facultie, as to them ſhall ſeeme good, and giuing their Letters teſtimoniall vnder their ſeale to him that they ſhall ſo approue, vpon paine of forfeiture, for euery month, that he doth occupie, not examined and approued, x. pounds to the vſe of the K. and I. to be recouered by A. of debt, wherein no W. P. &c. But this act is not preiudiciall to either of the Vniuerſities of Oxford or Cambridge, or to any priuiledges granted to them. 3. H. 8. 11. And in the ſame ſtatute it was further enacted, That no perſon within London, or ſeauen miles compaſſe, ſhould occupie as a Phyſition, except he be firſt proued, and admitted by the Biſhop of London, or the Deane of Pauls, calling to him foure Doctors of Phyſicke. But S. 1. & 2. Quere.

Euery phyſition ſhall be allowed by the preſident and three elects.

7 No perſon ſhall be ſuffered to exerciſe or practiſe in Phyſicke through England, vntill he be examined at London by the Preſident of the Colledge of the facultie of Phyſicke, and three of the Elects, and hath from the ſaid Presidents or Elects letters Teſtimonials of their approuing and examination, except he bee a graduat of Oxford, or Cambridge, which hath accõpliſhed all things for his forme without any grace. 14. H. 8. 5.

Foure Phyſitions ſhall ſearch Apothecary wares

8 The Preſident for the time beeing, Commons, and Fellowes of the Fellowſhip of the Facultie of Phyſicke in London, and their Succeſſors, may yearly elect foure perſons of the ſaid Fellowes of the beſt learned, wiſeſt, and moſt diſcreet, and the ſaid foure perſons ſo elected, after a corporall oath to them miniſtred by the ſaid preſident or his deputie, haue authoritie as often as they ſhall thinke conuenient, to enter into the houſe of all and euery Apothecary, vſing the myſteris of an Apothecarie within the ſaid citie onely to ſearch, view, and ſee ſuch Apothecarie wares, drugges, and ſtuffe, as the ſaid Apothecaries or any of them haue in their houſes, and all ſuch wares, drugges and ſtuffe, as the ſaid iiij. perſons ſhall then find defectiue, corrupted, and not meet to be miniſtred in any medecines for ỹ health of mans bodie, the ſame foure perſons calling to them the Wardens of the ſaid myſterie of Apothecaries within the ſaid Citie, or one of them, ſhall cauſe to be burned, or otherwiſe deſtroy the ſame, as they ſhall thinke meete. 32. H. 8. 40. But if the ſaid Warden or Wardens doe refuſe, or delay his or their comming thereunto forthwith, when the ſaid Preſident, or iij. of his Colledge elect, doe call vpon him, or them: then the ſaid Phiſitions may and ſhall execute that ſearch and view, and the due punihment of the Apothecaries for any their euill and faultie ſtuffe, without the aſſiſtance of any of the ſaid Wardens. 1. M. 9. And if any of the ſaid Apothecaries at any time do obſtinately or willingly refuſe, or denie the ſaid foure perſons to enter into his houſe, for the cauſes before rehearſed, then for euery time that he doth ſo offend, he ſhall forfeit to the K. and Informer v. l. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 32. H. 8. 40. And euery ſuch perſon as will reſiſt ſuch ſearch, ſhall forf. x. l. to the king and the ſaid Preſident and colledge, to be recouered by A. I. &c. wherein no W. &c. E. &c. 1. M. 9.

Elects refuſing to be ſworne, or to make ſearch.

9 If any of the ſaid 4. perſons ſo elected, doe refuſe to be ſworne, or after his oath to him miniſtred, doe obſtinately refuſe to make the ſaid ſearch once in the yeare, at ſuch time as they ſhall thinke conuenient, hauing no lawfull impediment by ſickneſſe or otherwiſe to the contrarie, then for euery ſuch obſtinat default, euery of them making default, ſhall forfeit xl. s. 32. H 8. 40.

Other Magiſtrates ſhall aſſiſt the phyſitions.

10 All Juſtices, Mayors, Shiriſes, Bayliſes, Conſtables, and other miniſters and Officers within the Citie and Suburbs of London, and 7. miles compaſſe

palle of the ſaid Citie, vpon requeſt to them made, ſhall aid and aſſiſt the preſident of the ſaid College, and all perſons by them from time to time authoriſed, for the due execution of the foreſaid Statutes, 14. H. 8. & 32. H. 8. vpon paine for not giuing of ſuch aid, help, and aſſiſtance, to run in contempt of the K. Ma. her heires and ſucceſſors, 1. Ma. 9.

1 No Phyſitions may practiſe Surgerie, S. Surgeons 2.

Piracie.

ALl Treaſons, Felonies, Robberies, Murders, and Confederations, committed vpon the Sea, or in any other Hauen, Riuer, Creeke, or place, where the Admirall hath, or pretendeth to haue iuriſdiction, ſhalbe required, tried, heard, determined, and iudged in ſuch ſhires and places in the Realme, as ſhalbe limited in the Kings commiſſion or commiſſions to be directed for the ſame, in like forme, as if any ſuch offences had bin committed vpon the land. And ſuch commiſſions ſhalbe had vnder the great Seale, directed to the Admirall, or his lieutenant, and deputie, & to three or foure ſuch other as ſhalbe appointed by the Lord Chancelor as oft as need ſhall require, to heare and determine ſuch offences after the common courſe of the lawes of this land vſed for treaſons, felonies, robberies, murders, & confederacies of the ſame, committed vpon the land within this Realme. 28. H. 8. 15. S. Treaſon 13. That the triall of treaſon ſhalbe according to the due courſe of ỹ common law: Et ideo quære. *Triall of offences done within the Admirals iuriſdiction.*

2 Such perſons to whom ſuch commiſſions ſhalbe directed, or foure of them at the leaſt, ſhall haue power to enquire of ſuch offences, by the oathes of twelue good and lawfull inhabitants in the ſhire limited in their Commiſſion, in ſuch maner, as if ſuch offences had bin committed vpon the land within the ſame Shire: And euery indictment found, and preſented before ſuch Commiſſioners, of any treaſons, felonies, robberies, murders, manſlaughters, or ſuch other offences committed vpon the Seas, or vpon any other hauen, riuer, or creeke, ſhalbe good & effectuall in the law. And if any perſon happen to be indicted for any ſuch offence done vpon the Seas, or in any other place aboue limited, then ſuch order, proces, iudgement, and execution, ſhall be vſed, and made to and againſt euery ſuch perſon ſo indicted, as againſt traitors, felons, and murderers, for treaſon, felony, robberie, murder, or other ſuch offences done vpon the land. And the triall of ſuch offence (if it be denied by the offendor) ſhalbe had by twelue lawfull men inhabiting in the ſhire limited within ſuch commiſſion, & no challenge to be had for the hundred. And ſuch as ſhalbe conuict of any ſuch offence by verdict, confeſſion, or proces, by authoritie of any ſuch commiſſion, ſhall ſuffer ſuch paines of death, loſſes of lands, goods, and cattels, as if they had bin attainted and conuicted of any of ỹ ſaid offences done vpon the land. An. 28. H. 8. 15. *The Commiſſioners authoritie.*

3 This act ſhall not be preiudiciall to any perſon for taking any victuall, cables, ropes, ankers, or ſayles, which he compelled by neceſſitie, taketh in any ſhip, which may conueniently ſpare the ſame, ſo the ſame perſon pay out of hand for the ſame victuall, cables &c. money or money worth, to the value of the thing ſo taken, or doth deliuer for the ſame a ſufficient Bill obligatorie to bee paid in forme following, viz. if the taking of the ſame things be on this ſide the ſtraites of Marrok, then to be paid within foure moneths, and if it be beyond the ſaid ſtraits, then to be paid within twelue moneths next enſuing the making of ſuch bils, and that the makers of ſuch bils truely pay the ſame debt at the day limited within the ſaid bils. 28. H. 8. 15. *Things taken vpon neceſſitie.*

4 Whenſoeuer any ſuch Commiſſion for the puniſhment of any of the offences aforeſaid, ſhall be directed to any place within the iuriſdiction of the fiue ports; *Commiſſions directed vnto the v. ports.*

Then it shall be directed vnto the Lord Warden of the said Ports, or his deputie, and vnto three or foure such other persons, as the Lord Chancelor shall appoint. And euery inquisition and triall there, of any of the offences aforesaid, shall bee made by the inhabitants in the said fiue Ports, or the members thereof. 28.H.8. 15.S.Admiral 2.

Plague.

Taxing of theirs for the relieſe of the ſicke of the plague.

THe Mayor, Bailifes, head Officers, and Justices of Peace, of euery Citie, Borough, Towne corporat, and places priuiledged, where any Mayor and Bailifes, head Officers, or Justices of peace are, or shall be, or any two of them, shall haue authoritie from time to time, to taxe and assesse all and euery inhabitant, and all houses of habitation, lands, tenements, and hereditaments within the said Citie, Borough, Towne corporat, and places priuiledged, or the liberties or precincts thereof, at such reasonable taxes and paiments, as they shall think fit, for the reasonable relieſe of such persons which shalbe infected with the plague, or inhabiting in houses and places infected in the same Cities, Boroughs, &c. & from time to time to leuie the same taxes of the goods of euery person refusing or neglecting to pay the said taxes, by warrant vnder the hand and Seale of the Mayor and Bailifes, and head Officers aforesaid, or two such Justices of peace to bee directed to any person or persons for the execution thereof. And if the party to whom such warrant is or shalbe directed, shall not find any goods to leuie the same, and the partie taxed shall refuse to pay the same taxe, Then vpon returne thereof, the said Maior, Bailifes, head Officers, or Justices of Peace, or any two of them, shal by like warrant vnder their hands and seales cause the same person so taxed, to bee arrested, and committed to the Gaole, without Baile or Mainepriſe, vntil he shall satisfie the same taxation, and the arrerages thereof. 1. Iac. 31.

The inhabitants vnable to relieue the infected.

2 If the Inhabitants of any such citie, borough, towne corporat, or place priuiledged, shall find themselues vnable to relieue their said poore infected persons, and others as aforesaid, Then vpon certificat thereof by the Mayor, Baylife, head Officers, and other the said Justices of peace, or any two of them, to the Justices of peace of the Countie, or, or neere to the said Citie, Borough, Towne corporat, or priuiledged place so infected, or any two of them to be made, The said Justices of or neere the said Countie, or any two of them, shall or may taxe & assesse the inhabitants of the Countie within fiue miles of the said place infected, at such reasonable weekely taxes, and rates, as they shall thinke fit, to be leuied by warrant from the said two Justices of the peace, of or neere the Countie, by sale of goods, and in default thereof by imprisonment of the bodie of the partie taxed, as aforesaid. 1. Iac. 31.

Infection in places where there be no J. of Peace.

3 If any such Infection shall be in any Borough, Towne corporat, or priuiledged place, where there are, or shall be no Justices of peace, or in any Village or Hamlet within any Countie, Then it shall and may be lawfull for any two Justices of the said Countie, wherein the said place infected is or shall bee, to Taxe and assesse the Inhabitants of the said Countie, within fiue miles of the said place infected, at such reasonable weekely taxes and rates, as they shall thinke fit for the reasonable relieſe of the said places infected, to be leuied by warrant from the said Justices of peace of the same Countie, by sale of goods, and in default thereof, by imprisonment of the bodie of euery partie so taxed, as aforesaid: The same taxes made by the said Justices of the Countie, for the relieſe of such Cities, Boroughs, Townes corporat, and places priuiledged, where there are no Justices of peace, to bee disposed as they shall thinke fit. And where there are Just. of peace, then in such sort as to the Mayor, Bailifes, head Officers, and Justices of

peace

peace there, or any two of them, shal seeme fit and conuenient: All which tares and rates made within any such Citie, Borough, &c. shalbe certified at the next Quarter Sessions to be holden within the same Citie, Borough, &c. And the said tares and rates made within any part of the said Countie, shall in like sort be certified at the next Quarter Sessions to be holden in and for the said Countie. And if the Iustices of peace at such Quarter Sessions, respectiuely, or the more part of them, shal thinke it fit the said tare or rate should continue, or be enlarged, or extended to any other parts of the Countie, or otherwise determined, then the same to bee so enlarged, extended, or determined, increased, or tared and leuied, in maner and forme aforesaid, as to the said Iustices at the Quarter sessions respectiuely shalbe thought fit and conuenient. And euerie Constable, and other head Officer that shal wilfully make default in leuying such money as they shall bee commaunded by the sayd warrant or warrants, shall forfeit for euerie such offence x.s. to be imploied on the charitable vses aforesaid. 1. Iac. 31.

An infected person commanded to keep his house disobeyeth.

4 If any person or persons infected, or being dwelling in any house infected, shall bee by the Mayor, Bailifes, Constable, or other head Officer, of any City, Borough, Towne Corporat, Priuiledged place, or Market Towne, or by any Iustice of Peace, Constable, Headborough, or other Officer of the Countie (if any such infection be out of any Citie, Borough, Towne corporat, priuiledged place, or Market Towne) commaunded or appointed as aforesaid, to keepe his or their house, for auoyding of further infection, and shall notwithstanding wilfully and contemptuously disobey such direction and appointment, offering and attempting to breake and go abroad, and to resist, or going abroad and resisting such keepers and watchmen, as shalbe appointed, as aforesaid, to see them kept in, Then it shalbe lawful for such watchmen, with violence to enforce them to keepe their houses. And if any hurt come by such enforcement to such disobedient persons, Then the said keepers, watchmen, and any other their associats, shal not be impeached therefore. And if any infected person as aforesaid, so commanded to keepe house, shall contrarie to such commandement wilfully and contemptuously go abroad, and shal conuerse in company, hauing any infectious soare vpon him vncured, then such person and persons shalbe taken and adiudged a felon, and suffer death as in case of felonie. But if such person shall not haue such soare found about him, then for his said offence to be punished as a vagabond should or ought to be by the statute made 39. El. 4 for the punishment of vagabonds, and further be bound to his or their good behauiour for one whole yeare. But no attainder of felonie by vertue of this Act shall extend to any attainder or corruption of bloud, or forfeiture of any goods, chattels, lands, tenements, or hereditaments. 1. Iac. 31.

Attendants appointed vpon the infected

5 It shalbe lawfull for Iust. of P. Mayors, Bailifes, and other head Officers aforesaid, to appoint within their seuerall limits, Searchers, Watchmen, Examiners, Keepers, and buriers for the persons and places respectiuely infected as aforesaid, and to minister vnto them othes for the performance of their Offices of Searchers, &c. and giue them other directions, as vnto them for the present necessitie shall seeme good in their discretions. 1. Iac. 31.

The Vniuersities, Cathedrall Churches, Eaton, Winchester.

6 No Mayor, Bailifes, Head Officers, or any Iustices of peace, shall by force or pretext of any thing in this Act contained, do or execute any thing before mentioned within either the Vniuersities of Cambridge or Oxford, or within any Cathedrall Church, or the liberties or precincts thereof, in this Realme of England, or within the Colledges of Eaton, or Winchester: But the Vicechaunceler of either of the Vniuersities for the time being, within either of them respectiuely, and the Bishop and Deane of euerie such Cathedrall Church, or one of them, within such Cathedrall Church, and the Prouost or Warden of either of the said Colledges within the same, shall haue all such authoritie, and shall do and execute all and

euery

euerie ſuch Act and Acts, thing and things, in this Act before mentioned, within their ſeuerall Precincts and Iuriſdictions aboueſaid, as fully to all intents, as any Maiors, Baylifes, Head Officers, or Iuſtices of Peace, within their ſeuerall precincts and iuriſdictions, may elſewhere by force of this Act doe and execute. 1. Iac. 31. To continue no longer then vntill the end of the firſt Seſſion of the next Parliament.

Playes and Games.

Maintenance of houſes for vnlawfull games.

NO perſon by himſelfe, or any other ſhall for his gaine or liuing, kéepe or maintaine any common houſe, alley, or place of bowling, quoiting, cloſh, cails, halfe bowles, tennis, dicing, tables, or carding, or any other manner of game prohibited by any Statute, or any vnlawfull new game now inuented or made, or any other new vnlawfull game hereafter to be inuented, found or made, vpon paine to forfeit for euerie day kéeping or maintaining, or ſuffering any ſuch game to bée had, kept, executed, plaid, or maintained within any ſuch houſe, garden, alley, or other place, contrarie to the forme and effect aforeſaid, xl. s. And alſo euerie perſon vſing and haunting any of the ſaid houſes and places, and there playing, ſhall forfeit for euerie time ſo doing vj. s. viij. d. 33. H. 8. 9.

Playing at vnlawfull games.

Placards.

2 If any perſon ſue for any Placard to haue common gaming in his houſe, contrarie to this Statute, Then it ſhall be contained in the ſame placard, what game ſhall bée vſed in the ſame houſe, and what perſon ſhall play thereat. And euery placard graunted to the contrarie ſhall bée void. And alſo the partie obtaining any ſuch placard, before he put the ſame in execution, ſhall be bound with ſufficient ſuerties with him by Recogniſance in the Chauncerie, in a certaine ſumme to be appointed by the Lord Chauncelor, that hée ſhall not vſe the ſaid placard contrarie to the forme thereof. 33. H. 8. 9. But by the Statute made Anno 2. & 3. Ph. & M. 9. Euerie licence, placard, or graunt, before that time made to any perſon or perſons, for the hauing, maintaining, or kéeping of bowling alleys, dicing houſes, or other vnlawfull games prohibited by the Lawes and Statutes of this Realme, were made void.

Licences made void.

Perſons prohibited to play at vnlawfull games.

3 No Artificer, or Craftſman of any Handicraft, Huſbandman, Apprentice, Labourer, Seruant at Huſbandrie, Journeyman, or Seruant of Artificers, Mariners, Fiſhermen, Watermen, or any Seruingman, ſhall play at the Tables, Tennis, Dice, Cards, Bowles, Cloſh, Coyting, Logating, or any other vnlawfull games, out of Chriſtmas, vnder the paine of xx. s. to bee forfeited for euerie time, and in Chriſtmas, to play at any of the ſaid games in their Maiſters houſes or in their Maſters preſence. But it is lawfull to euerie Maſter, to licence his ſeruants to play at cards, dice, or tables, with their Maſter, or any other Gentleman repairing to their Maſter, openly in his houſe, or in his preſence, and it is lawfull for euerie ſuch ſeruant, for euerie time ſo being licenced as is aforeſaid, to play &c. 33. H. 8. 9.

Playing by licence.

Bowling.

4 No perſon ſhall at any time play at any bowle or bowles, in open places out of his garden, or orchard, vnder the paine for euerie time ſo offending, to forfeit vj. s. viij. d. But it is lawfull to euerie Nobleman, and other, hauing lands, tenemẽts, or other yerely profits for terme of life, in his owne right, or in his wiues, to the yearely value of 100. l. or aboue, to command or licence his ſeruants of his houſe, for to play within the precinct of his houſe, garden, or orchard, at cards, dice, tables, bowles, or tennis, as wel amongſt themſelues, as other repairing to the ſaid houſe, and they ſo playing by commandement or licence, ſhall not incurre any penaltie contained in this Act for the ſame. 33. H. 8. 9.

5 It is lawfull to all and euerie the Iuſtices of peace in euerie Shire, Maiors, She-

Sherifes, Bailifes, and other head Officers within euerie Citie, Towne, and Borough, from time to time, as well within Liberties as without, as néed and cauſe ſhall require, to enter and reſort into all houſes, places, and allies, where vnlawful Games ſhall bée ſuſpected to bée holden or vſed, contrarie to this Statute: And as well the kéepers of the ſame, as alſo the perſons there reſorting and playing, to arreſt and impriſon, and to kéepe in priſon, vntill the kéepers of the ſaid Playes and Games, haue found ſuerties to the Kings vſe, to bée bound by Recogniſance, or otherwiſe, no longer to kéepe or occupie any ſuch houſe, play, game, alley, or place. And alſo the perſons there ſo found, ſhall in like caſe be bound by themſelues, or elſe with ſuerties, by the diſcretion of the Juſtices, Maiors, Sherifes, &c. no more to play, haunt, or exercíſe from thenceforth, in, at, or to any of the ſaid places or games. And all Juſtices of peace, Maiors, and Head Officers, &c. and euerie of them, finding or knowing any perſon vſing any vnlawfull games, contrarie to this Statute, haue authoritie to commit euerie ſuch offender to ward, there to remaine without baile or mainprize, vntill ſuch time they ſo offending bée bound by Obligation to the Kings vſe, in ſuch ſumme of money, as by the diſcretion of the ſayd Juſtices, Mayors, Bailifes, &c. ſhall bee thought reaſonable, that they or any of them ſhall not from thenceforth vſe ſuch vnlawfull games. 33.H.8.9. S. Iuſt. of peace 64.

Magiſtrats may repreſſe vnlawfull games.

6 If the Maiors, Sherifes, Bailifes, Conſtables, and other head Officers within their Cities, Boroughes, and Townes, as well within Franchiſe as without, do not make due ſearch weekely, or at the furtheſt once euerie moneth if the caſe ſo require, in all places, where any houſes, allies, plaies, or places of vnlawful games ſhalbe ſuſpected to be had and maintained, and do not execute the ſtat. in all things according to the purport of the ſame: Then euerie ſuch Maior, or other head Officer, ſhal forfeit, for euerie moneth not making ſuch ſearch, nor executing the ſame, xl.s. And all Maiors, Bailifes, Sherifes, and other head officers, ſhall once euery quarter make Proclamation of this ſtatute in euerie Market holden within their ſeuerall iuriſdiction. And in like ſort ſhall the Juſtices of Aſſiſe, Gaole deliuery, & peace, in their ſeuerall circuits and Seſſions before them holden, to the intent euery perſon may haue knowledge of the ſame. 33.H.8.9. S. Corporations 23.

Officers ſhall make ſearch where vnlawfull games be.

Proclamatiõ of this ſtatute

7 Where any forfeiture giuen by this ſtat. prouided for the maintenance of Artillerie, and debarring of vnlawfull games, ſhalbe found in any Franchiſe, Leet, or Lawday, the Lord of the ſame ſhall haue the one moitie thereof, and any of the K. ſubiects ſhall haue the other, that wil ſue for the ſame in any of the K. Courts. And where ſuch forf. ſhalbe found out of the precinct of any Franchiſe, Leet, or Lawday, the one moitie thereof ſhalbe to the K. and the other to any of his ſubiects that will ſue for the ſame, by A. I. &c. wherein no W. E. P. &c. But al informations, actions, ſuits, &c. that ſhalbe ſued vpon any part of this ſtat. ſhall be commenced within the yeare after the offence committed, or otherwiſe no aduantage thereof ſhalbe taken 33.H.8.9. S. Actions popular 11.

who ſhal haue the forfeitures

8 If any perſon or perſons doe, or ſhall in any Stage-Play, Interlude, Shew, May-game, or Pageant, ieſtingly and prophanely ſpeake or vſe the holy name of God, or of Chriſt Ieſus, or the Holy Ghoſt, or of the Trinitie, which are not to be ſpoken but with feare and reuerence, he ſhall forfeit for euerie ſuch offence by him or them committed, tenne pounds to the King and Informer, to bée recouered in any Court of Record at Weſtminſter, wherein no E. P. or W. &c. 3. Iac. 21.

Players abuſing the name of God.

Pleading,

Pleading, Pleaders.

Pleading in the English tongue.

ALl pleas which are to be pleaded in any of the Kings Courts, before any of his Iustices, or in his other places, before any of his other Ministers, or in the Courts and places of any other Lords within the Realme, shall bee pleaded, shewed, and defended, answered, debated, and iudged in the English tongue, and shall be entred and inrolled in Latine. And the lawes and customes of the Realme, termes and proceſſes shalbe holden and kept, as they be and haue bene before this time: And by the antient termes and formes of the declarations no man shall bee preiudiced, so that the matter of the action be fully shewed in the declaration, and in the writ. 36.E.3.15.

1 The penaltie of Pleaders which doe deceiue the Court or the partie. S. Deceit 1.

2 Beaupleader. S.52.H.3.11. 3.E.1.8. 1.E.3.8.

Poore people.

The help and spæd of poore persons in suit

EVerie poore person which shal haue cauſe of action against any other, shall haue by the diſcretion of the Chauncelor, writs Originall, and writs of Subpena, according to the nature of his cauſe, nothing paying to the King for the ſeales of the ſame, nor to any perſon for writing of the ſame writs: And the ſaid Chauncelor shall aſſigne ſuch of the Clerkes, which shall vſe the making and writing of the ſame writs, to write the ſame readie to be ſealed, and alſo learned Counſell and Atturneyes for the ſame, without any reward taking therefore. And after the ſayd writs be returned, if it be before the K. in his Bench, the Iuſt. there shall aſſigne to the ſame poore perſon counſell learned by their diſcretions, which shall giue their counſell nothing taking for the ſame. And in likewiſe the Iuſtices shall appoint Atturnies for the ſame poore perſon, and all other officers requiſit to be had for the ſpæd of the ſaid ſuits, which shall doe their duties without any rewards for their counſell, helpe, and buſineſſe in the ſame. And the ſame law and order shalbe obſerued of all ſuch ſuits to be made, before the K. Iuſt. of his Common Pleas, and Barons of his Exchequer, and all other Iuſtices in Courts of Record where any ſuch ſuits shalbe. 11.H.7.12.

The Churchwardens and houſholders Ouerſéers of the poore.

2 The Churchwardens of euerie Pariſh, and foure, three, or two ſubſtantiall houſholders there, as shall bee thought méet, hauing reſpect to the proportion and greatneſſe of the ſame Pariſh and Pariſhes, to bee nominated yearely in Eaſter weeke, or within one moneth after Eaſter, vnder the hand and ſeale of two or more Iuſtices of the peace in the ſame Countie, whereof one to be of the Quorum, dwelling in or neere the ſame Pariſh, or diuiſion where the ſame pariſh doth lye shall be called Ouerſéers of the poore of the ſame Pariſh: And they, or the greater part of them, shall take order from time to time, by and with the conſent of two or more ſuch Iuſtices of peace, as is aforeſaid, for ſetting to worke of the children of all ſuch, whoſe parents shall not by the ſaid Churchwardens and Ouerſéers, or the greater part of them, be thought able to keepe and maintaine their children: and alſo for ſetting to worke all ſuch perſons maried or vnmaried, hauing no meanes to maintaine them, as vſe no ordinarie and daily trade of life to get their liuing by, & alſo to raiſe weekely or otherwiſe (by taration of euerie inhabitant, Parſon, Vicar, and other, and euerie occupier of lands, houſes, tithes impropriat, or propriation of tithes, cole mines, or ſaleable vnderwoods, in the ſaid pariſh, in ſuch competent ſumme and ſummes of money, as they shall thinke fit) a conuenient ſtocke of flaxe, hempe, woll, thréed yron, and other neceſſarie ware and ſtuffe to ſet the poore on worke:

The Ouerſéers duetie.

woꝛke: and alſo competent ſummes of money, foꝛ, and towards the neceſſarie releſe of the lame, impotent, old, blind, and ſuch other among them being poꝛe, and not able to woꝛke, and alſo foꝛ the putting out of ſuch childꝛen to be apꝛentices, to be gathered out of the ſame Pariſh, accoꝛding to the abilitie of the ſaid Pariſh, and to doe and execute all other things, as well foꝛ the diſpoſing of the ſayd ſtocke, as otherwiſe concerning the pꝛemiſſes, as to them ſhall ſeeme conuenient: which ſaid Churchwardens and Ouerſeers ſo to bee nominated, oꝛ ſuch of them as ſhall not be let by ſickeneſſe oꝛ other iuſt excuſe, to bee allowed by ſuch two Juſtices of Peace, oꝛ moꝛe, ſhall meet together at the leaſt once euerie moneth in the Church of the ſaid Pariſh, vpon the Sunday in the afternoone, after Diuine Seruice, there to conſider of ſome good courſe to be taken, and ſome meet oꝛders to bee ſet downe in the pꝛemiſſes, and ſhall within foure dayes after the end of their yeare, and after other Ouerſeers nominated as afoꝛeſaid, make and yeeld vp to ſuch two Juſtices of the Peace, as is afoꝛeſaid, a true and perfect accompt of all ſuch ſummes of money by them receiued, oꝛ rated and ceſſed, and not receiued: and alſo of ſuch ſtocke as ſhall be in their hands, oꝛ in the hands of any of the poꝛe to woꝛke, and of all other things concerning their ſaid office, and ſuch ſumme oꝛ ſummes of money as ſhall bee in their hands, ſhall pay and deliuer ouer to the ſaid Churchwardens and Ouerſeers newly nominated and appointed, as afoꝛeſaid vpon paine that euerie one of them abſenting themſelues without lawfull cauſe, as afoꝛeſaid from ſuch monethly meeting foꝛ the purpoſe afoꝛeſaid, oꝛ being negligent in their office, oꝛ in the execution of the oꝛders afoꝛeſaid, being made by and with the aſſent of the ſaid Juſtices of peace, oꝛ any two of them befoꝛe mentioned, to foꝛfeit foꝛ euery ſuch default xx.s. 43. Eliz. 2.

The Ouerſeers accopt.

The ouerſeers foꝛfeiture.

3 If the ſaid Juſtices of Peace doe perceiue that the Inhabitants of any Pariſh are not able to leuie amongſt themſelues ſufficient ſummes of money foꝛ the purpoſes afoꝛeſaid, Then the ſayd two Juſtices ſhall and may tare, rate, and aſſeſſe, as afoꝛeſaid, any other of other Pariſhes, oꝛ out of any Pariſh within the Hundꝛed where the ſaid Pariſh is, to pay ſuch ſumme and ſummes of money to the Churchwardens and Ouerſeers of the ſaid poꝛe Pariſh, foꝛ the ſayd purpoſes, as the ſaid Juſtices ſhall thinke fit, accoꝛding to the intent of this law. And if the ſaid Hundꝛed ſhall not be thought to the ſayd Juſtices, able and fit to relieue the ſaid ſeuerall Pariſhes, not able to pꝛouide foꝛ themſelues as afoꝛeſaid, then the Juſtices of Peace at their generall Quarter Seſſions, oꝛ the greater number of them, ſhall rate and aſſeſſe, as afoꝛeſaid, any other of other Pariſhes, oꝛ out of any pariſh within the ſaid Countie, foꝛ the purpoſes afoꝛeſaid, as in their diſcretion ſhal ſeeme fit. 43. Eliz. 2.

A pꝛouiſion where the inhabitants are not able to reliene their poꝛ

4 And it ſhall be lawfull foꝛ the ſaid Churchwardens and Ouerſeers. oꝛ any of them, by warrant from any two ſuch Juſtices of peace, to leuie as well the ſayd ſummes of money, and all arrerages of euery one that ſhall refuſe to contribute accoꝛding as they ſhalbe aſſeſſed, by diſtreſſe and ſale of the offendoꝛs goods, as the ſummes of money, oꝛ ſtocke which ſhal be behind vpon any accompt to be made as afoꝛeſaid, rendꝛing to the partie the ouerplus: and in defect of ſuch diſtreſſe, it ſhall be lawful foꝛ any ſuch two Juſt. of P. to commit him oꝛ them to the common gaole of the Countie, there to remaine without baile oꝛ mainpꝛiſe, till paiment of the ſaid ſumme, arrerages and ſtocke. And the ſaid Juſtices of peace, oꝛ any one of them, to ſend to the houſe of coꝛrection, oꝛ common gaole, ſuch as ſhal not imploy themſelues to woꝛke, being appointed thereunto as afoꝛeſaid. And alſo any two ſuch Juſt. of peace, to commit to the ſaid pꝛiſon euerie one of the ſaid Churchwardens, & Ouerſeers, which ſhall refuſe to accompt, there to remaine without baile oꝛ mainpꝛiſe, til he haue made a true accompt, and ſatiſfied and paid ſo much as vpon the ſayd accompt ſhalbe remaining in his hands. 43. Eliz. 2.

A remedie foꝛ the leuying of money aſſeſſed

Impꝛiſonmẽt in default of diſtreſſe.

The puniſhment of thoſe which wil not woꝛke.

5 It

The ouerſéers may bind children apprentices.

5 It ſhalbe lawfull for the ſaid Churchwardens and Ouerſeers, or the greater part of them, by the aſſent of any two Iuſt. of the peace aforeſaid, to bind any ſuch children as aforeſaid, to be apprentices, where they ſhall ſée conuenient, till ſuch man child ſhall come to the age of xxiiij. yeres, and ſuch woman child to the age of xxj. yeares, or the time of her mariage. The ſame to be as effectuall to all purpoſes, as if ſuch child were of full age, and by Indenture of couenant bound him or her ſelfe. 43. El. 2. All perſons to whom the Ouerſeers of the poore ſhal according to this Act bind any children apprentices, may take, receiue, and kéep them as apprentices, Any former ſtat. to the contrarie notwithſtanding. 1. Iac. 25.

Building of houſes on the waſt for the poore to inhabit.

6 It ſhall and may be lawfull for the ſaid Churchwardens and Ouerſeers, or the greater part of them, by the leaue of the Lord or Lords of the manor, whereof any waſt or common within their Pariſh is or ſhall be parcell, and vpon agréement before with him or them made in writing, vnder the hands and ſeales of the Lord or Lords, or otherwiſe, according to any order to be ſet downe by the Iuſtices of Peace of the ſaid Countie, at their generall Quarter Seſſions, or the greater part of them, by like leaue and agréement of the ſayd Lord or Lords, in writing vnder his or their hands and ſeales, to erect, build, and ſet vp in fit and conuenient places of habitation, in ſuch waſt or common, at the generall charges of the Pariſh, or otherwiſe of the Hundred or Countie as aforeſaid, to bée tared, rated, and gathered in manner before expreſſed, conuenient houſes of dwelling for the ſaid impotent poore, and alſo to place Inmates, or more families then one in one cottage or houſe, One Act made in the xxj. yeare of her Maieſties raigne, intituled, An Act made againſt the erecting and maintaining of Cottages, or any thing therein contained, to the contrarie notwithſtanding: Which Cottages and places for Inmates, ſhall not at any time after be vſed or imployed to or for any other habitation, but only for impotent and poore of the ſame Pariſh, that ſhall be there placed from time to time by the Churchwardens and Ouerſeers of the poore of the ſame Pariſh, or the moſt part of them, vpon the paines and forfeitures contained in the ſaid Act made An. 31. El. 7. 43. El. 2.

A remedie for them which find themſelues grieued

7 Prouided alwayes, that if any perſon or perſons ſhall find themſelues grieued with any ceſſe or tare, or other Act done by the ſaid Churchwardens, or other perſons, or by the ſaid I. of P. That then it ſhalbe lawful for the I. of peace at their generall quarter Seſſions, or the greater number of them, to take ſuch order therein, as to them ſhalbe thought conuenient, And the ſame to conclude and bind all the ſaid parties. 43. Eliz. 2.

Poore relieued by their parents, or children.

8 The father and grandfather, and the mother and grandmother, and the children of euerie poore, old, blind, lame, and impotent perſon, or other poore perſon not able to worke, being of a ſufficient abilitie, ſhall at their owne charges relieue and maintaine euerie ſuch poore perſon in that maner, and according to that rate, as by the Iuſt. of peace of that Countie where ſuch ſufficient perſons dwell, or the greater number of them, at their generall quarter Seſſions ſhall be aſſeſſed, vpon paine that euerie one of them to forfeit xx. s. for euerie moneth which they ſhal faile therein. 43. El. 2.

Head officers of corporat townes haue authoritie of Iuſt. of peace.

9 The Maiors, Bailifes, or other head Officers of euerie Corporat Towne, and place, and Citie, within this Realme, being Iuſtice or Iuſtices of peace, ſhall haue the ſame authoritie by vertue of this Act, within the limits and precincts of their iuriſdictions, as well out of Seſſions, as at their Seſſions, if they hold any, as is herein limited, preſcribed, and appointed to I. of the P. of the county, or any two or more of them, or to the Iuſt. of peace in their Quarter Seſſions, to do & execute for all the vſes and purpoſes in this Act preſcribed, and no other Iuſt. or Iuſtices of peace to enter or meddle there. And euery Alderman of the citie of London within his Ward, ſhal and may do and execute in euery reſpect ſo much as is appointed

and

and allowed by this Act to be done, & executed by one or two J. of P. of any County within this Realme. 43. Eliz. 2.

10 If it ſhall happen any pariſh to extend it ſelfe into more Counties then one, or part to lie within the liberties of any Citie, place, or Towne corporat, and part without, then alwel the Juſtices of peace of euery Countie, as alſo the head Officers of ſuch citie, place, or towne corporat, ſhall deale and intermeddle onely in ſo much of the ſaid pariſh, as lieth within their libertie, & not any further, and euery of them reſpectiuely within their ſeuerall limits, wards, & iuriſdictions, to execute the ordinances before mentioned, concerning the nomination of Ouerſéers, the conſent to binding Apprentices, the giuing warrant to leuie taxations vnpaid, the taking accompt of Churchwardens & ouerſéers, & the committing to priſon ſuch as refuſe to accompt, or denie to pay the arrerages due vpon their accompts. And yet neuertheleſſe, the ſaid Churchwardens and Ouerſéers, or the moſt part of them, of the ſaid pariſhes that do extend into ſuch ſeuerall limits and iuriſdictions, ſhall without diuiding themſelues duely execute their Office in all places within the ſayd pariſh, in all things to them belonging, and ſhall duely exhibite and make one accompt before the ſayd Head Officer of the Towne or place corporat, and one other before the ſayd Juſtices of peace, or any ſuch two of them, as is aforeſaid. 43. Eliz. 2.

A pariſh with in two Counties or part lying within a libertie, and part without.

11 If in any place within this realme there happen to be hereafter no ſuch nomination of Ouerſéers yearely as is before appointed, then euerie Juſt. of peace of the County, dwelling within the diuiſion where ſuch default of nomination ſhal happen, & euery Maior, Alderman, & Head Officer, of Citie, Town, or place corporat, where ſuch default ſhal happen, ſhal forfeit for euerie ſuch default fiue pounds, to be imployed towards the reliefe of the poore of the ſame pariſh, or place corporat, & to be leuied as is aforeſayd of their goods, by warrant from the generall Seſſions of the peace of the ſaid Countie, or of the ſame Citie, Towne, or place corporat, if they kéepe Seſſions. 43. Eliz. 2.

The forfaiture for not naming Ouerſéers.

12 All penalties and forfeitures before mentioned in this Act ſhal go and be imploied to the vſe of the poore of the ſame pariſh, & towards a ſtocke and habitation for them, and other neceſſarie vſes and reliefe, as before in this act are mentioned & expreſſed, and ſhalbe leuied by the ſaid Churchwardens and Ouerſéers, or one of them, by warrant from any two ſuch J. of peace, Maior, Alderman, Head Officer of Citie, Towne, or place corporat, reſpectiuely within their ſeuerall limits, by diſtreſſe and ſale, as aforeſayd, or in defect thereof, it ſhalbe lawfull for any two ſuch Juſtices of peace, & the ſaid head Officers &c. to commit the offender to priſon, there to remaine without baile or mainprize, til the ſaid forfeitures ſhall be ſatiſfied and paid. 43. Eliz. 2.

How the forfaiture ſhalbe leuied and imploied.

13 The Juſtices of peace of euery County or place corporat, or the more part of them, in their generall Seſſions to be holden next after the Feaſt of Eaſter next, and ſo yearely as often as they ſhall thinke méete, ſhall rate euery Pariſh to ſuch a weékely ſumme of money, as they ſhall thinke conuenient, ſo as no pariſh be rated aboue the ſumme of fiue pence, nor vnder the ſumme of an halfe peny, weékely to be paid, and ſo as the totall ſumme of ſuch taxation of the pariſhes in euerie Countie, amount not aboue the rate of two pence for euerie pariſh in the ſaid Countie, which ſummes ſo tared, ſhall be yearely aſſeſſed by the agréement of the pariſhioners within themſelues, or in default thereof by the Churchwardens and petie Conſtables of the ſame pariſh, or the more part of them, or in default of their agréement, by the order of ſuch Juſtice or Juſtices of peace, as ſhall dwell in the ſame pariſh, or (if none be there dwelling) in the parts next adioyning: And if any perſon ſhall refuſe or neglect to pay any ſuch portion of money ſo tared it ſhall be lawfull for the ſaid Churchwardens and Conſtable, or any of them, or

The Juſtices ſhall rate euerie pariſh to a weekly ſumme

Refuſing to pay the money tared.

in their default, for any Iuſtices of peace of the ſaid Limit to leuie the ſame by diſtreſſe, and ſale of the goods of the partie ſo refuſing or neglecting, rendring to the partie the ouerplus, and in default of ſuch diſtreſſe, it ſhall be lawfull to any Iuſtice of that limit, to commit ſuch perſon to the ſayd priſon, there to remaine without baile or mainprize, till he haue payed the ſame. 43. Elizabeth 2.

Reliefe of the priſoners in the K. Bench Marſhalſie, Hoſpitals.

14. The ſaid Iuſtices of peace at their generall quarter Seſſions to be holden at the time of ſuch taxation, ſhall ſet downe what competent ſummes of money ſhall be ſent quarterly out of euerie Countie or place corporat, for the reliefe of the poore priſoners of the Kings Bench and Marſhalſie, and alſo of ſuch Hoſpitals, and Almes houſes, as ſhall be in the ſaid Countie, and what ſummes of money ſhall be ſent to euery one of the ſaid Hoſpitals and Almes houſes, ſo as there be ſent out of euery Countie yearely twenty ſhillings at the leaſt to each of the ſaid priſons of the Kings Bench and Marſhalſie, which ſummes ratably to be aſſeſſed vpon euerie Pariſh, the Churchwardens of euerie pariſh ſhall truely collect and pay ouer to the High Conſtables, in whoſe diuiſion ſuch pariſh ſhall be ſcituate from time to time quarterly ten dayes before the ende of euerie quarter: And euery ſuch Conſtable at euery ſuch quarter ſeſſions in ſuch countie, ſhall pay ouer the ſame to two ſuch Treaſorers, or to one of them, as ſhall by the more part of the Iuſtices of Peace of the Countie, be elected to be the ſaid Treaſorers, to be choſen by the Iuſtices of Peace of the ſaid Countie, Citie, or Towne, or place Corporat, or of others which were ſeſſed and tared at fiue pounds lands, or tenne pounds goods, at the leaſt, at the tare of Subſidie next before the time of the ſayd election to be made. And the ſayd Treaſorers ſo elected, ſhall continue but for the ſpace of one whole yeare in their office, and then giue vp their charge, with a due accompt of their receipts, and diſburſements, at the Quarter Seſſions to be holden next after the Feaſt of Eaſter in euerie yeare, to ſuch others as ſhall from yeare to yeare in forme aforeſayd, ſucceſſiuely be elected Treaſorers for the ſaid Countie, City, Towne, &c. which ſayd Treaſorers, or one of them, ſhall pay ouer the ſame to the Lord chiefe Iuſtice of England, and Knight Marſhall for the time being, equally to be diuided for the vſe aforeſaid, taking their acquitances for the ſame, or in default of the ſaid chiefe Iuſtice, to the next auntient Iuſtice of the Kings Bench, as aforeſaid. And if any Churchwarden, or High Conſtable, or his Executors or Adminiſtrators, ſhall fayle to make payment in forme afore ſpecified, then euerie Churchwarden, his Executors or Adminiſtrators, ſo offending, ſhall forfeit for euerie time the ſumme of tenne ſhillings, and euerie High Conſtable his executors or adminiſtrators, ſhall forfeit for euerie time the ſumme of twentie ſhillings, the ſame forfeitures together with the ſummes behinde to be leuied by the ſayd Treaſorour, and Treaſorours, by waye of Diſtreſſe, and ſale of the goods, as is aforeſayd, in forme aforeſayd and by them to bee imployed, towardes the Charitable vſes compryſed in this Act. 43. Elizabeth. 2.

Treaſorer.

Chiefe Iuſt. of England, Knight Marſhall.

Churchward. or high Conſtable failing of paiment.

How the ſurpluſage ſhalbe beſtowed.

15 All the ſurpluſage of money which ſhall be remaining in the ſaid ſtocke of any Countie, ſhall by the diſcretion of the more part of the Iuſtices of Peace in their Quarter Seſſions be ordered, diſtributed, and beſtowed, for the reliefe of the poore Hoſpitals of that Countie, and of thoſe that ſhall ſuſtaine loſſes by fire, water, the Sea, or other caſualties, and to ſuch other charitable purpoſes for the reliefe of the poore, as to the more part of the ſaid Iuſtices of Peace ſhall ſeeme conuenient. 43. Eliz. 2.

Refuſing to be Treaſorer, or to giue the reliefe appointed.

16 If any Treaſurer elected ſhall wilfully refuſe to take vpon him the ſaid Office of Treaſurerſhip, or refuſe to diſtribute & giue reliefe, or to account, according to ſuch forme as ſhall be appointed by the more part of the ſaid Iuſtices of Peace,

Then

Then it ſhall be lawfull for the Iuſtices of Peace in their Quarter Seſſions, or in their default for the Iuſtices of Aſſiſe, at the Aſſiſes to be holden in the ſame Countie, to fine the ſame Treaſurer by their diſcretion: the ſame fine to be leuied by ſale of his goods, and to be proſecuted by any two of the ſaid Iuſtices of Peace whom they ſhall authorize. 43. El. 2.

17 Whereas the Iſland of Fowlenes in the County of Eſſex being inuironed with the ſea, & hauing a Chappell of eaſe for the inhabitants thereof, and yet the ſaid Iſland is no Pariſh, but the lands in the ſame are ſcituate in diuers Pariſhes farre diſtant from the ſayd Iſland: The Iuſtices of Peace of the ſaid Countie ſhal nominate and appoint Inhabitants within the ſaid Iſland, to be Ouerſéers for the poore people dwelling within the ſaid Iſland: And both they the ſaid Iuſtices, and the ſaid Ouerſéers ſhall haue the ſame authoritie to all intents, for the execution of the parts and Articles of this Act, and ſhall be ſubiect to the ſame forfeitures, and likewiſe the inhabitants & occupiers of lands there ſhal be liable & chargeable to the ſame paiments, charges, expences, & orders, in ſuch maner and forme as if the ſaid Iſland were a pariſh: In conſideration whereof neither the ſaid inhabitants or occupiers of land within the ſaid Iſland, ſhal not be compelled to contribute towards the reliefe of the poore of thoſe pariſhes, wherein their houſes or lands which they occupie within the ſaid Iſland are ſcituated, for, or by reaſon of their ſaid habitations or occupiers, other then for the reliefe of the poore people within the ſaid Iſland: Neither yet ſhal the other inhabitants of the pariſhes wherin ſuch houſes or lands are ſcituated, be compelled by reaſon of their reſiance or dwelling, to contribute to the reliefs of the poore inhabitants within the ſaid Iſland. 43. El. 2.

The Iſlād of Fowlenelle.

18 If any action of treſpas, or other ſuit ſhal happen to be attempted & brought againſt any perſon or perſons for taking of any diſtreſſe, making of any ſale, or any other thing doing, by authoritie of this Act: The defendant or defendants in any ſuch action or ſuit ſhall and may either plead not guiltie, or otherwiſe make Auowrie, Cogniſãce, or Juſtification, for the taking of the ſaid diſtreſſes, making of ſale, or other thing doing by vertue of this Act, alledging in ſuch Auowrie, Cogniſance or Juſtification, That the ſaid diſtreſſe, ſale, or other thing whereof the plaintife or plaintifes complained, was done by authoritie of this Act, and according to the tenor, purport, and effect of this Act, without any erpreſſing, or reherſal of any other matter of circumſtance contained in this preſent Act: To which Auowrie, Cogniſance, or Juſtification, the plaintife ſhall be admitted to replie, That the defendant did take the ſaid diſtres, made the ſaid ſale, or did any other act, or treſpas, ſuppoſed in his declaration of his owne wrong, without any ſuch cauſe alledged by the defendant: whereupon the iſſue in euery ſuch action ſhal be ioyned, to be tried by verdict of twelue men, and not otherwiſe, as is accuſtomed in other perſonall Actions: And vpon the triall of that iſſue, the whole matter to be giuen on both parts in euidence, according to the verie truth of the ſame. And after ſuch iſſue tried for the defendant or nonſuite of the plaintife after apparance, the ſame defendant to recouer treble dammages by reaſon of his wrongfull veration in that behalfe, with his coſtes alſo in that part ſuſtained, and that to be aſſeſſed by the ſame Iurie, or writ to inquire of dammages as the ſame ſhall require. 43. Elizabethæ 2. Primo Iacobi 25. To continue vntill the end of the firſt Seſſion of the next Parliament.

The def. plea in a ſuit commenced againſt him.

1 Any man may giue land holden in Socage, for the maintenance of houſes of Correction, or for any ſtockes of poore. S. Mortmaine 10.

Prerogatiue, Preheminence.

Wardship. THe King by his Prerogatiue Royal, shal haue the Wardship of al their lands which hold of him in chiefe by knights seruice, whereof the tenants were seised in their demesne, as of fée, the day of their death, of whomsoeuer they hold of like seruice, so that they helde of auntient time any land of the King as of his Crowne, vntill the heire come vnto his lawfull age, except the Fées of the Archbishop of Canterburie, the Bishop of Durham, betweene Tine and Tées, Fées of Earles, and Barons of the Marches, of lands in the Marches where the Kings writs doe not lie, and whereof the said Archbishop, Bishop, Earles, and Barons, haue had the wardship, though other wise they held of the King. Prærogatiua Regis 17. E.2.1. S. Wards 17.

Marriage. 2 Also he shall haue the mariage of an heire being within age, and in his custodie, whether the land of such heire haue of auncient time been holden of the Crowne, or that it came by reason of Escheate, being in the Kings hands, or that he hath the mariage by reason of the Ward of the Lord of such heire, without respect of the prioritie of feoffement, although the heire held of others. 17. E.2.2. S. Wardes 19.

Primer seisin. 3 Also he shall haue Primer seisin after the death of those which hold of him in chéefe, of all the lands and tenements, whereof they were seised in their demesnes as of fée, of what age soeuer their heires be, by taking the issues of the same lands, vntil inquisition be made as the custome is, and that he hath receiued the homage of such heires. 17.E.2.3. Marlb.52,H.3.16.

The Kings widowes. 4 Also he shall assigne to widowes, after the death of their husbands that held of him in chiefe, the dower that to them belongeth, though the heire be of ful age, if the widowes will. And such widowes before assignement of Dower, shal sweare, that they shall not marrie without the Kings licence, whether their heire be of full age or not, and if they do marrie themselues without the Kings licence, then the K. shall take into his hands by way of distresse, all such lands as they hold of him in dower, vntill he be satisfied at his pleasure, so that the woman shall take nothing of the issues: for after such distresse, they or their husbands must make fine to the King at his pleasure, which fine in auntient time, was one yeres value of her dower, vnlesse she found the greater fauor. And also women that hold of the K. in chiefe, of what age soeuer they be shal sweare that they shal not marry themselues without the K. licence, and if they do, their lands shall be taken in like maner into the K. hand, vntill he be satisfied at his pleasure. Mag.Char.9.H3.7.17.E.2.4. And the Master of the Kings Wards & Liueries, by the aduise of the Atturney, Receiuer general, & Auditors of the same court, or three of them, haue authoritie to survey all the Kings widowes, and to commune & conclude with euerie of them, which shall marrie themselues without the K. licence, for their reasonable fines to be made to the K. vse, & to tare and assesse the same by their discretion, according to the foresaid stat. of Prærog.Reg.32.H.8.46.

Women tenants. 5 If a woman before the death of her auncestor that holdeth of the K. in chiefe, be married before she be marriageable, then the King shall haue the wardship of the body of the same woman, vntill she be of age able to consent, and then she may chuse whether she wil haue him to whom she was first married, or him that the K. will offer her. 17.Ed.2.6.

Coparceners. 6 If an inheritance which is holden of the K. in chiefe, to discend to seuerall coparceners, then al the heires shal do homage to the K. & the same inheritance so holden of the K. shal be diuided amongst those heires, in such sort, that euerie of them after that shall hold their part of the K. 17.Ed.2.5. Stat. Hiberniæ.

7 None

7 None which holdeth of the King in Capite by Knights ſeruice, may without the kings licence, alien the greater part of his lands in ſuch ſort, but that the reſidue may be ſufficient to do his ſeruice, But this had not wont to be intended of ſmall members and parcels of the ſame lands. Magna Charta 9.H.3.32.17.E.2.7. Alienation without licence.

8 If any which holdeth his lands of the King by ſergeantie, doth alien the ſame without the Kings licence, he ſhall pay therefore a reaſonable fine. 17.E.2.7. But by the Sta. 1.E.3.12. the ſame lands ſhal not be forf. to the king by ſuch alienation. And by the ſtat. 9.H.3.31. and 1.E.3.13. & 1.E.6.4. He that holdeth of the King, as of any honors, caſtles, manors, lands, &c. being in his hands, by reaſon of any new eſcheat to the crowne, or by attainder, conuiction, outlawry, or by diſſolution of any religious houſe, or by purchaſe, doth not hold of him in Capite, neither ſhall he do other ſeruices, then if the ſame manors &c. were in other mens hands. Tenure by Sergeantie.

9 If other men do preſent to Churches being void, the aduowſons whereof belong to the King, whereupon debate riſeth betweene the King and the others. If the King by award of the Court, do recouer his preſentation, though it be after the lapſe of 6. moneths from the time of the auoidance, no time ſhall preiudice him, ſo that he preſent within the ſpace of 6. moneths. 17.Ed.2.8. Lapſe.

10 The King ſhall haue the cuſtodie of the lands of natural fooles, and take the profit thereof, without any waſt or deſtruction. And ſhal find to them things neceſſarie, of whoſe fees ſoeuer the ſame lands be, & after the death of the ſame fooles, he ſhal render the ſame lands to the right heires, ſo that ſuch Ideot ſhal not alien, nor their heires be diſinherited. 17.E.2.9. The Maſter of the Kings Wards & Liueries, by the aduice of the Atturney, Receiuer general, & Auditors of the ſame Court, or three of them, hath authoritie to ſuruey, gouerne, & order all Ideots and natural fooles, and their manors, lands, tenements, & other hereditaments, being in the K. hands, or in the hands of any other perſon or perſons, to their vſes, or to the vſe of any of them, & to let & ſet the manors, lands, &c. to the Kings vſe for the time of his intereſt, for ſuch rent and fine, as by their diſcretion ſhall be thought good, the finding & keeping of the ſaid perſons, their wiues and children, and the reparations of their houſes and lands alwaies to be conſidered. 32.H.8.46. Ideots.

11 Alſo the King ſhall prouide, that when any that before time hath had his memorie and vnderſtanding, ſhall become beſtraught, and to faile of his wit (as certaine doe Per lucida interualla) that their lands and tenements ſhall be ſafely kept, without waſt or deſtruction, and that they and their familie ſhall liue, & be conueniently maintained, with the profits thereof, & that the reſidue beſides their maintenance, ſhal be kept to their vſe, & be deliuered vnto them when they come to their perfect memorie, ſo that ſuch lands and tenements ſhall not be aliened within the ſame time, neither ſhall the King take any thing to his owne vſe: And if the party die in ſuch eſtate, then the reſidue ſhal be diſtributed for his ſoule by the aduice of the Ordinary. 17.Ed.2.10. Lunatike.

12 The King ſhall haue the wracke of Sea through the realme: Whales and Sturgions taken in the ſea, or elſewhere within the realme, except in certain priuiledged places 17.E.2.11. Wracke of the Sea.

13 When any perſon which holdeth of the King in Capite dieth, and his heire doth enter into the land that his aunceſtor held of the K. the day of his death before he hath done homage to his Grace, & receiued of him ſeiſin, he ſhall thereby gaine no freehold, & if he die ſeiſed during that time, his wife ſhall not be endowed of the ſame land. But this is not meant of Socage & ſmall Tenures. 17.E.2.13. And if any ſhall make a Purpreſture or Vſurpation vpon the Kings land, the King ſhall reſeiſe the land out of the hands of the intruder. Big.4.Ed.1.4. Intruſion.

14 The King ſhall haue Eſcheates of the lands of Archbiſhops, & Biſhops freeholders, when ſuch Tenants be attainted of Felonie, committed in time of vacation, Eſcheats in time of vacation.

tion, whilest their Temporalties were in the K. hands, to bestow in what sort it shall please him: Sauing to such Prelates the seruice that to them is due and accustomed. 17. Ed. 2. 14.

Knights fées, Aduowsons, Dowers.

15 When the King giueth or graunteth to any person a manor, or land, with the appurtenances, without he make expresse mention in his Deed, or Writing, of knights fées, Aduowsons of Churches, and Dowers, when they fal, belonging to such manors, or lands, then the king reserueth to himselfe such fées, aduowsons, and dowers, though amongst other persons there be no such reseruation. 17. Ed. 2. 15.

Felons goods

16 The King shall haue the goods of all Felons which be condemned, & which be fugitiue, wheresoeuer they be found, and if they haue any freehold, it shal forthwith be seised into the Kings hands, and the King shall haue the profits thereof by the space of a yeare and a day, and the land shall be wasted and destroyed in the houses, woods, & gardeins, and in all things belonging to the same (except men of

Annum, diem, & vastum.

certaine places priuiledged.) And after the King hath had the yeare, day, and waste, the land shall be restored to the chiefe Lord of the same fée, vnlesse that before he redeeme the same yeare, day, and waste of the King, by payment of a fine. But there is

Glouceſter.

a custome in the Countie of Glouceſter, that after a yeare and a day the lands and tenements of Felons in that Shire, shall reuert and be restored to the nert heire, to whom they ought to haue discended, if the Felonie hath not bin committed. And

Gauelkind.

in Kent, in Gauelkind, (the father to the Bough, the sonne to the Plough) there all the heires males shall diuide their inheritance, and likewise women. But women shall not make partition with men. And a woman after the death of her husband shall be endowed of the moitie. And if a woman commit Fornication in her widdowhood, or take any husband, she shall lose her dower. Prerog. Regis. Anno 17. Ed. 2. 16. Mag. Charta 9. H. 3. 22.

None may pardon felons or make Iustices, but the King.

17 No person or persons shal haue authority to pardon any treasons, murders, manslaughters, or felonies, or any accessaries to the same, or any Outlaries for any such offences committed &c. or to make any Iustices of Eire, Iustices of Assise, Iustices of Peace, or Iustices of Gaole Deliuerie, but onely the K. Maiestie, his heires and successors, Kings and Quéenes of this Realme, which haue the same whole and sole power vnited to the imperiall Crowne of this realme. And all such Iustices, Officers &c. shall be made by letters patents vnder the K. great seale in his name, and by the authority of him and his heires &c. in al Countics within any of his dominions. 27. H. 8. 25.

All writs made in the Kings name.

18 All originall and iudiciall writs, & all indictments of Treason, Felonie and Trespas, and al manner of proces to be made vpon the same in euery Countie Palantine, & other liberties within England, Wales, or the Marches thereof shall be made onely in the name of the King, and his heires, K. or Quénes of England. And euery person hauing such Countie Palantine, or other libertie to make such originals, iudicials, or other proces of Iustice, shall make the Teste in the said Writs, in the name of the same person or persons that haue such Countie Palantine, or Liberties. 27. H. 8. 25.

Writs or Indictments contra Pacem.

19 Euery writ and Indictment that shall be made within any Countie Palantine, or Libertie, whereby it shall be supposed any thing to be done against the Kings peace, shall be made and supposed to be done against the Kings peace, his heires and successors, and not against the peace of any other person, &c. 27. H. 8. 25.

Fines & forfeitures of Bailifes and Stewards.

20 The king his heires and successors, kings or Quénes of this Realme, shall haue all fines, issues, amerciaments, and forfeitures, that shall be lost, forfeited, or assessed, by, or vpon any Stewards, baylifes, or other Officers, of any franchises or liberties, for non execution, or misexecution, or insufficient returnes of such writs,

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warrants, precepts, or other proces, which to any of them, or to any their deputies shall be directed, or for any contempt, or other misdemeano⁹ concerning their offices, in & for the due execution or administration of Iust. any graunt allowance, or other thing &c. notwithstanding. 27. H. 8. 25.

1 For the Kings prerogatiues and preheminences. S. Accomptants to the King 1. &c. Abilitie 1. Dammages 9. Fines 20. Recoueries 2.

Preacher and Preachings.

Disturbance of a Preacher in the time of his Sermon.

IF any person of his owne authoritie, shall willingly, & of purpose by open words or deedes, maliciously, or contemptuously disturbe, or by any other vnlawfull waies disquiet or misuse any preacher allowed to preach by the Quæne, or by any Archbishop, or Bishop of this Realme, or by any other lawful Ordinarie, or by any of the Vniuersities of Oxford and Cambridge, or otherwise lawfully authorized or charged by reason of his Cure, Benefice, or other Spirituall promotion or charge, in his open Sermon, Preaching, or Collation, that he shall preach or pronounce in any Church, Chappell, or Church-yard, or in any other place vsed or appointed: then euery such offendor, his aiders, procurers, or abbettors, immediately after any of the said misdemeanors committed, or at any time after, shal be arrested by any Constable, or Church-warden of the said Parish, Towne, or Place, where the said offence shall be so committed, or by any other Officer, or by any other person then being present at the time of the said offence, and carried to any Iustice of Peace within the said Shire, or within any Citie, Borough, Libertie, or Towne corporate, wherein Iustices of Peace be, where the said offence shall be so committed, & the said Iustices vpon due accusations therupon made by the apprehender, or other person, of the offendor, forthwith shall commit him to safe keeping, & within fiue dates immediately after the said accusation so made, the said Iustice with one other Iustice of Peace within the Shire, Citie, Borough, Libertie, or Towne Corporate, shall diligently examine the offence aforesaid. And if the said two Iustices shall vpon their examination finde the person so accused guiltie of any of the said offences, whereof he shall be accused, and that by two sufficient witnesses, or by his confession, then they shall commit him to the Gaole of the said Shire, Citie, Borough, &c. where the offence was committed, there to remaine without baile or mainprise, by the space of three moneths then next ensuing, and further to the next Quarter Sessions &c. at which Sessions, the said person vpon his reconciliation & repentance before the said Iustices at the said Sessions, shall be deliuered out of prison vpon sufficient suertie of his good abearing and behauiour, to be then and there taken by the said Iustices for one whole yeare then next ensuing, as by the discretion of the said Iustices then & there being, or of the more part of them shall be thought conuenient. And if the said person will not be reconciled and repent at the said Quarter Sessions, then he shal be further committed to the said Gaole by the said Iustices, there to remaine without baile or mainprise, vntill he shall be reconciled, and be penitent &c. 1. M. 3.

Rescuing the offendor, or disturbing the arrest.

2 If any person or persons of their owne authoritie, willingly and vnlawfully doe rescue any offender so apprehended, or will disturbe the said offendor to be apprehended, then euery one of the said rescuers or disturbers shall suffer like imprisonment, as is aforesaid, and further shall pay for euery of his offences v. l. to the Quæne. 1. M. 3.

The punishment of the towne, where the offendor doth escape.

3 If any of the offendors aforesaid be not apprehended in time conuenient, but doe escape, then the said escape shal be lawfully presented before the Iustices of P. at the next quarter Sessions &c. and the inhabitants of the parish where the said escape was suffred, shal forf. to the Quæn &c. for euery such offence v. l. to be leuied & taken

taken as other like amerciaments & fines bin leuied vpon any Village, Hundred, or Town, for the eſcape of any murtherer, or other Felon, for not making purſuit vpon huy and crie, according to the ſtatuts of Winchester, and the ſtatute of 3. H. 7. 1. 1. Ma. 3.

Punishment by the Eccleſiaſtical lawes.

4 This Act ſhall not extend to take away the authoritie and punishment of the Eccleſiaſticall Lawes ſtanding in force for the punishment of any the offences aforeſaid. But they ſhalbe vſed in euery thing, as though this Act had neuer bene made. 1. Ma. 3.

But once puniſhed for one offence.

5 Whatſoeuer perſon offending in the premiſſes, ſhall for any the offences aforre recited, receiue punishment of the Ordinary, hauing teſtimoniall thereof vnder the ſaid Ordinaries ſeale, ſhall not for the ſame offence eftſones be conuicted before the Juſtices. Et è conuerſo. 1. Ma. 1. Parl. 3. S. Arreſts 1. Iuſt. of Peace 11.

Præmunire, Prouiſion.

Præmunire by reaſon of ſuit in a forraine Realme, or in impeaching Judgements.

IF any of the Kings people do draw any man out of the Realme in ſuite for any cauſe, the cogniſance whereof pertaineth to the Kings Court, or for any things whereof there is iudgement giuen in the Kings Court: Or doe ſue in any other Court to defeat or impeach the iudgment giuen in the K. Court, they ſhal haue day containing the ſpace of two months by warning to be giuen to them, in the place where the poſſeſſions be, which be in debate, or ſome where elſe, where they haue lands or other poſſeſſions, by the Sheriſe or other of the K. Officers, to appeare before the King and his Counſell, or in his Chauncery, or before his Juſtices of the one Bench, or the other, or before other of the Kings Juſtices, which ſhall be thereunto appointed, to anſwere in their proper perſons to the King of their contempt in this caſe committed, and if they come not at the ſaid day in their own proper perſons to anſwere and ſtand to the Law, they, their Procurators, Atturneies, Executors, Notaries, and Mainteinors, ſhall from the ſame day be put out of the Kings protection, and their lands, goods, and cattels ſhalbe forfeited to the King, and their bodies, whereſoeuer they be found, ſhall be puniſhed at the Kings pleaſure. And a Writ ſhall be awarded to apprehend their bodies, and to ſeiſe their lands, goods, & poſſeſſions into the Kings hands. And if it be returned, that they cannot be found, they ſhalbe put in Exigent and outlawed. But at whatſoeuer time they will come before they be outlawed, and will render themſelues to the K. priſon, to be iuſtified by the law, and to receiue that which the K. Court in this behalfe ſhall award, they ſhall be thereunto receiued, yet ſhall the forfeiture of the lands, goods, & cattels remaine in his force, if they do not yéld themſelues within the two months, as is aforeſaid. 27. Ed. 3. 1.

Taking Benefices of Aliens.

2 None of the Kings liege people, nor other perſon, ſhall take within England, Procuracie, Letter of Atturney, Ferme, or other Adminiſtration, by Indenture, or in other manner, of any perſon of the world, of any Benefice within the ſaid Realme, but onely of the Kings liege people of the ſame Realme, without the ſpecial grace and expreſſe licence of the K. by the aduiſe of his Counſel. Nor any of the ſaid liege people, or other, that may be found in the ſaid Realme, ſhall conuey by vertue of ſuch procuracie, ferme or adminiſtration, gold, ſiluer, or other treaſure, or commoditie out of the ſaid realme, by letter of exchange, by marchandiſe, or in any other maner whatſoeuer, to the profit of the ſaid Aliens, without the like licence: & if any do the contrary in any point, he ſhal incur the puniſhment contained in the foreſaid ſtatute of 27. Ed. 3. and by the ſame proceſſe compriſed in the ſaid ſtatute, ſhal be warned in their benefices, or their other poſſeſſions within the Realme. And if they be out of the Realme, and haue no Benefices, nor poſſeſſions within the Realme where they may be warned, a Writ ſhal be directed out of the Chaun-

Conueying of commodities to Aliens.

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ceric to the Shiriſes of London, or to the Shirife of the Countie where they were borne, at the Kings ſuit, returnable into the one Bench, or the other, by the which writ commaundement ſhall be giuen, that Proclamation ſhall be openly made, that they ſhall be before the Juſtices in the Bench, where the writ is retournable at a certaine day compriſed in the ſaid writ contayning the ſpace of halfe a yeare, to make anſwere to the matters compriſed in the ſaid writ, and this writ being returned, the Juſtices ſhal proceed againſt them in forme aforeſaid. 3. R. 2. 3. 7. R. 2. 12.

3 No Biſhop, or other Eccleſiaſticall perſon through the Realme, ſhall meddle by the way of Sequeſtration, or in any other manner, with the fruits of ſuch Benefices, giuen to ſuch Aliens, or to the profit of Aliens. 3. R. 2. 3. 7. R. 2. 12. *No ſequeſtration of Aliens Benefices.*

4 If any Alien doth purchaſe any Benefice of the Church, Dignitie, or other thing, and in his owne proper perſon doth take poſſeſſion thereof, or doth occupie it within the Realme, whether it be to his owne vſe, or to the vſe of any other, without the K. ſpeciall licence, he ſhall be compriſed within the ſame ſtatute of 3. R. 2. And moreouer, he ſhall in all points incurre the paines & forf. compriſed in the ſtat. 25. Edw. 3. 22. (prouided againſt thoſe which purchaſe in the Court of Rome prouiſions, to haue abbeyes and priories in England) viz. he ſhall be out of the Kings protection, & euery man may vſe him as an enemie of the King & the Realme. And whoſoeuer offendeth againſt him in body, goods, or poſſeſſions, ſhall be excuſed againſt all people, and ſhal neuer be impeached or grieued for the ſame, at any mans ſuit. 7. R. 2. 12. Sed S. 6. & Quære. *No alien ſhall take a Benefice without the Kings licence.* *Quære.*

5 If any perſons do purchaſe, or purſue, or cauſe to be purchaſed or purſued in the Court of Rome, or elſewhere, any tranſlations of Biſhops, Proces, ſentence of Excommunication, Buls, Inſtruments or other things whatſoeuer, which doe touch the King, or which be againſt him, his Crown & Regalty, or his realme, they which bring the ſame within the Realme, or do receiue them, or make thereof notification, or other execution whatſoeuer, within the realme, or without, their Notaries, Procurators, Maintainors, Abettors, Fauorers, & Counſellors, ſhall be put out of the K. protection, and their lands & tenements, goods & cattels ſhal be forfeited to the King. And they ſhalbe attached by their bodies (if they may be found) and brought before the K. & his Counſell, to anſwere in the foreſaid cauſes, or elſe proces ſhall be directed againſt them by Præmunire facias 16. R. 2. 5. But to obtaine from the Biſhop or See of Rome, any manner of Bull, writing, or Inſtrument, written or printed, containing any thing, matter, or cauſe whatſoeuer, or to publiſh, or by any meanes to put in vre any ſuch Bull, writing, or Inſtrument, it ſhal be adiudged to the offendors, their procurators, abettors, & counſellors to the fact, and committing of ſuch offence, high Treaſon. 13. Eliz. 2. S. Rome 2. *Buls or Inſtruments from Rome.* *Treaſon.*

By which Statute of 13. Elizab. and of certaine Statutes made 23. H. 8. 24. H. 8. 25. H. 8. 1. Eliz. 5. Eliz. the force of diuers other old Statutes, prouided for the puniſhment of offences by Prouiſion or Præmunire ſeeme to be taken away, ſauing ſuch which be in other Titles of this Booke expreſſed, for that the offences which in the ſaid old Statutes were ordained to be puniſhed in ſeuerall manners by Prouiſion and Præmunire, be now made high Treaſon, or other puniſhment appointed for them by the ſaid new Statutes, or elſe the vſe of them is wholly extinguiſhed by diſſolution of Monaſteries, Abbeyes, Colledges, Free Chappels, &c. which were ſuppreſſed by the Statute of 27. Hen. 8. 31. Hen. 8. 13. 1. Edw. 6. 14. *Tamen Quære.* *Quære.*

6 It ſhal not be lawfull to any perſon, to ſlay any perſon in any manner attainted in or vpon any Præmunire, by pretence, reaſon, or authority of any iudgement giuen vpon the ſame, or of any words or things contained in any Statute or law of Prouiſion and Præmunire: ſauing alwaies the due execution of euerie perſon attain- *No man ſhall ſtra him which is attainted in Præmunire.*

attainted for any offence whereupon iudgement of death ought to be, and ſauing euery ſuch paine of death, or other hurt, or punishment, as heretofore might without danger of law be done vpon any perſon that ſhall ſend or bring into any of the Quéenes dominions, or within the ſame ſhall execute any ſummons, ſentence, excommunication, or other proces againſt any perſon from the Biſhop or Sée of Rome, or the authoritie of the ſame. 5. El. 1.

1 Præmunire for refuſing to take the oath for the Queenes ſupreame gouernement ouer al eſtates. S. Crowne &c. 6.

2 Præmunire for maintaining or ſetting foorth the authoritie of the Biſhop, or See of Rome. S. Rome 1.

3 Præmunire by aiding, comforting, or maintaining any offendor after the offence, to the intent to ſet forth or allow the power of the Biſhop or See of Rome. S. Rome 3.

4 Præmunire by bringing, deliuering, or receiuing and vſing any Agnus Dei, croſſes, pictures, beads, or ſuch like from Rome. S. Rome 5.

5 Præmunire for not electing, nor certifiing, or not admitting any Biſhop elected. S. Biſhop 4.

6 Præmunire in a Iuſtice of peace, for not certifying the name of him which bringeth any Agnus Dei, croſſes, or pictures. S. Iuſt. of Peace 103.

7 Prouiſion in ſpirituall perſons &c. within the Archdeaconrie of Richmond in Yorkeſhire, for taking more probate of Teſtaments then is lawfull. S. Probate of Teſtaments 14.

8 Præmunire for ſuing of Appeales, or for refuſing to obey all things compriſed in the ſtatute prouided for ſuing of them. S. Appeales 7.

9 Brokers and driuers of Bargaines, contrary to the ſtatute of 37. H. 8. prouided againſt Vſurie, ſhall be puniſhed as Counſellors, Atturneyes, or Aduocates in caſe of Præmunire. S. Vſurie 7.

10 Præmunire for moleſting any perſon for any lands or poſſeſſions of any Abbey, Priorie, Colledge, Chauntrie, &c. S. Monaſteries 32.

11 Præmunire for deliuering or ſending any reliefe to a Ieſuit, Prieſt, or other remaining in any Colledge of Ieſuits. S. Ieſuits 5.

Priſon, Priſoners, Gaole, Gaolers.

NOne ſhall be impriſoned by any Iuſtices of Peace, but onely in the common gaole: ſauing to Lords & others which haue gaoles in their franchiſe in this caſe. 5. H. 4. 10. Euery Sherife within euery Countie in this Realme of England ſhall haue the cuſtodie, rule, kéeping & charge of euery of the K. common Gaoles, Priſons, and priſoners in the ſame, in euery of the ſaid Counties where he is Sherife, during the time of his office: except all gaoles, whereof any perſon or perſons ſpirituall or temporal, or body corporat haue the kéeping of eſtate of inheritance, or by ſucceſſion. 19. H. 7. 10.

A priſoner by dures becommeth an appruer.

2 Sherifes ſhall haue the kéeping of gaoles, and put in ſuch kéepers for whom they will anſwer. And if any kéeper of priſon, or vnder kéeper ſhall by too great dures of impriſonment and paine, cauſe any priſoner which he hath in his cuſtody to become an appruer againſt his will, is thereof attainted, he ſhall be adiudged a felon. 14. E. 3. 10.

3 Euery Sherife, Baylife of Fraunchiſe, and euery other perſon hauing authority of kéeping of Gaoles, or of Priſoners for Felonie, ſhal certifie the names of euery priſoner in their kéeping, and of euery priſoner to them committed for any ſuch caſe, at the nert generall Gaole Deliuerie, in euery County or Fraunchiſe where any ſuch Gaole is, or ſhal be, there to be kalendred before the Iuſtices of the deli-

deliuerie of the ſame Gaole, whereby they may aſwell for the King, as for the partie, proceede to make deliuerie of ſuch Priſoners, according to the Lawes, vpon paine to forfait to the King for euerie default there recorded an C. ſhillings. 3. H. 7. 3.

4 It ſhall and may be lawfull for the Juſtices of Peace of euery Shire within this Realme, at their generall Quarter Seſſions of the Peace to be holden within the ſame Shires, or the moſt part of the ſaid Juſtices being there preſent, to rate and tare euery Parith within the ſaid Shires, at ſuch reaſonable ſummes of money, for and towards the reliefe of the Priſoners being within the common Gaoles of the ſaid Shires, as they ſhall thinke conuenient by their diſcretions: ſo that the ſaid taration and rate doth not exceed aboue vj. d, or viij. d. by the weeke out of euery Parith. And the Churchwardens of euery Parith within this Realme for the time being, ſhall euery Sunday leuie the ſame: And once euery Quarter in the yeare, pay to the high Conſtables, or head Officers of euery Towne, Parith, Hundred, Ryding, or Wapentake, within this Realme, all ſuch ſummes of money as their Parith ſhall be tared, for and towards the reliefe of the ſaid Priſoners wythin their ſaid ſeuerall Pariſhes. And the ſaid high Conſtables, and head Officers, and euery of them, ſhall pay all ſuch ſummes of money ſo to them paied by the ſaid Churchwardens, at euery generall Quarter Seſſions to be holden within the ſaid ſeuerall Shires, to ſuch ſufficient perſons dwelling nigh the ſaid Gaoles, as ſhall be appointed by the ſaid Juſtices in their ſaid open Quarter Seſſions, to be there readie to receiue the ſaid money ſo collected, as is aforeſaid. And the Collectors for the ſaid Priſoners ſhall weekely diſtribute and pay all ſuch ſummes of money, as they and euery of them ſhall receiue for the reliefe of the ſaid Priſoners, as aforeſaid, vpon paine aſwell the ſaid Churchwardens of euery Parith, Conſtables, and head Officers of euery Hundred, or Wapentake, as alſo the ſaid Collectors appointed for the collection and contribution of the ſaid Priſoners, ſo making default, as aforeſaid, to forfait x. li. The one moitie to the Maiſter heires and ſucceſſors, and the other moitie to the reliefe of the Priſoners: Any ſtatute, law, cuſtome, or other thing to the contrarie notwithſtanding. 14. Eliz. 5. 1. Iac. 25. To continue to the end of the firſt Seſſion of the nert Parliament.

A prouiſion for the reliefe of Priſoners.

5 Ye that breaketh Priſon ſhall not haue puniſhment of life or member for the breaking of the Priſon only, except the matter or cauſe for the which he was impriſoned and taken did require ſuch iudgement, if he had bene conuicted thereupon after the law and cuſtome of the Realme, albeit in times paſt it hath bene done and vſed otherwiſe. An 1. Ed. 2.

Breaking priſon.

6 Shiriſes and Gaolers ſhall receiue and ſafely kept in priſon, Felons, perſons appealed, indicted, or taken with the maner, and apprehended and taken by the Conſtables and Townſhips, by the deliuerie of the ſame Conſtables and Townſhips, without taking any thing for their writ. And the Juſtices aſſigned to deliuer the Gaole, ſhall haue authoritie to heare their complaints, that will complaine vpon Shiriſes and Gaolers in ſuch caſe, and to puniſh them, if they be found giltie. 4. Ed. 3. 10.

Gaolers ſhall receiue Felons.

7 All and euery perſon and perſons whatſoeuer that ſhall be committed to the common or vſuall Gaole within any Countie or libertie within this Realme, by any Juſtice, or Juſtices of Peace, for any offence, or miſdemeanor, the ſaid perſon or perſons ſo to be committed, as aforeſaid, hauing meanes or abilitie thereunto, ſhall beare their owne reaſonable charges for ſo conueying or ſending them to the ſaid Gaole, and the charges alſo of ſuch as ſhall be appointed to guard them to ſuch Gaole, and ſhall ſo guard them thither. And if any ſuch perſon or perſons ſo to be committed, as aforeſaid, ſhall refuſe at the time of their commitment

A Priſoner conueyed to the Gaoler at his owns charges.

ment and ſending to the ſaid Gaole, to defray the ſaid charges, or ſhall not then pay or beare the ſame, Then ſuch Juſtice or Juſtices of the Peace, ſhall and may by writing vnder his or their hand and ſeale, or hands and ſeales, giue warrant to the Conſtable, or Conſtables of the Hundred, or Conſtable, or Mythingman of the Mything or Townelhip, where ſuch perſon or perſons ſhall be dwelling and inhabite, or from whence he or they ſhall be committed as aforeſaid, or where he or they ſhall haue any goods within the Countie or libertie, to ſell ſuch and ſo much of the goodes and chattels of the ſaid perſons ſo to be committed, as by the diſcretion of the ſaid Juſtice, or Juſtices of the Peace, ſhall ſatiſfie and pay the ſaid charges of ſuch his or their conueying and ſending to the ſaid Gaole, The Appraiſement to be made by foure of the honeſt Inhabitants of the Pariſh, or Mything, where ſuch goods or chattels, ſhall remaine and be: And the ouerplus of the money which ſhall be made thereof, to be deliuered to the partie to whom the ſaid goods ſhall belong. 3. Iac. 10.

The offendor being not able, the Pariſh ſhall be charged.

8 If the ſaid perſon or perſons ſo to be committed as aforeſaid, ſhall not haue, or be knowen to haue any goods or chattels, which may be ſo ſold for the purpoſe aforeſaid, within the Countie or libertie, then an indifferent Mare or aſſeſſement ſhall be made by the Conſtables and Churchwardens, and two or three other the honeſt Inhabitants of the Pariſh, Townelhip, or Mything, where the ſaid offendor or offendors ſhall be taken or apprehended, the ſaid Taration being allowed vnder the hand of one or more Juſtice, or Juſtices of the Peace, if there be ſuch Conſtables and Churchwardens there inhabiting, and in default of them, by foure of the principall Inhabitants of the ſaid Pariſh, Townelhip, or Mything, where ſuch offendors ſhall be taken or apprehended. And if any ſo tared, or aſſeſſed, ſhall refuſe to pay their ſaid taration, then the Juſtice, or Juſtices of Peace, by whom the ſaid offendors ſhall be committed to priſon, as aforeſaid, or any other Juſtice of Peace nere adioyning, ſhall and may giue warrant as aforeſaid, to the Conſtable, Mythingman, or other Officer, there to diſtraine the goods of any ſo aſſeſſed, which ſhall refuſe to pay the ſame, and to ſell the ſame. And ſuch perſon or perſons ſo authorized, ſhall haue full power and authoritie ſo to diſtraine, and by appraiſement of foure ſubſtantiall Inhabitants of the ſaid place, to ſell a ſufficient quantitie of the goods and chattels of the ſaid perſons ſo refuſing, for the leuying of the ſaid Taration. And if any ouerplus of money come by the ſale thereof, the ſame to be deliuered to the perſon or perſons, owner or owners thereof. 3. Iac. 10.

The Defendants plea in Treſpas, or Auowrie.

9 If any Action of Treſpas, or other ſuite ſhall happen to be attempted, and brought againſt the perſon or perſons for taking of any diſtreſſe, making of any ſale, or any other act, by authoritie of this preſent Act, The defendant, or defendants in any ſuch action, or ſuit, ſhall and may eyther plead not guiltie, or otherwiſe make Auowrie, cogniſance, or iuſtification, for the taking of the ſaid diſtreſſes, making of ſale, or other act, by vertue of this Act, alleaging in ſuch auowrie, cognizance, or iuſtification, that the ſaid diſtreſſe, ſale, treſpaſſe, or other thing, whereof the plaintife or plaintifes complained, was done by authoritie of this Act, and according to the tenour, purport, and effect of this Act, without any expreſſing, or rehearſall of any other matter of circumſtance conteyned in this Act: To which Auowrie, cognizance, or iuſtification, the plaintife ſhall be admitted to replie that the defendant did take the ſaid diſtreſſe, made the ſaid ſale, or did any other act or treſpas, ſuppoſed in his declaration of his owne wrong, without any ſuch cauſe alleaged by the ſaid defendant, whereupon the iſſue in euery ſuch action ſhall be ioyned to be tried by verdict of twelue men, and not otherwiſe, accuſtomed in other perſonall actions, And vpon the triall of that iſſue, the whole matter to be giuen on both parties in euidence, according to the

to the verie truth of the ſame. And after ſuch iſſue tried for the defendant, or non-ſuit of the plaintife after appearance, the ſaid defendant to recouer treble damages, by reaſon of his wrongfull veration in that behalfe, with coſts alſo on that part ſuſtained, and that to be aſſeſſed by the ſame Jurie, or writ to inquire of the damages as the ſame ſhall require. 3. Iac. 10. To continue vntill the end of the firſt Seſſion of the nert Parliament.

1 No Habeas corpus ſhalbe granted to remoue any Priſoner out of any Gaole, except it be ſigned with a Iuſtices hand of the ſame Court. S. Remouer 1.

2 The Iuſtices of the K. Bench may ſend downe priſoners and their Indictments, to be tried in the Countrey. S. Remouer 2.

3 A priſoners goods ſhall not be ſeiſed, vntill he be attainted. S. Sherifes 24.

4 In what caſe it is felonie for any perſon to breake priſon. S. Felony 15.

5 Where the Keeper of a priſon ſhall be charged for not receiuing, or letting go a priſoner offered or committed to his cuſtodie. S. Eſcape 1. Statutes &c. 1. Phyſitians 4.

6 Iuſt. of peace ſhall examine an offendor, and put his examination in writing before he commit him to priſon. S. Iuſt. of P. 108.

Probate of Teſtaments, and Adminiſtration.

NOthing ſhalbe demaunded, receiued, nor taken by any Biſhop, Ordinarie, Archdeacon, Chauncellor, Commiſſarie, Officiall, nor any other perſon or perſons whatſoeuer, hauing authoritie to take or receiue probation, inſinuation, or approbation of Teſtament or Teſtaments, by himſelfe, or themſelues, nor by his or their Regiſters, Scribes, Prayſers, Summoners, Apparitors, or by any other of their Miniſters, for the probation &c. of any Teſtament, or for writing, Sealing, Prayſing, Regiſtring Fines, making of Inuentories, and giuing of Acquitances, or for any other cauſe concerning the ſame, where the goods of the Teſtator of the ſaid Teſtament, or perſon ſo dying, doe not amount clerely ouer and aboue the value of one hundred ſhillings Sterling, except onely to the Scribe, to haue for writing of the Probate of the Teſtament of him deceaſed &c. ſixe pence, And for the Commiſſion of Adminiſtration of the goods of any man deceaſing inteſtate, not being aboue the like value of C.s. clere, ſix pence. And neuertheleſſe the ſaid Biſhop, Ordinarie, or other perſon, ſhall not refuſe to approue any ſuch Teſtament, being lawfully tendered to him to be proued, whereof the goods of the Teſtator or perſon ſo dying amount not aboue the value of an C.s. ſo that the ſaid Teſtament be exhibited to him in writing, with ware thereunto affixed readie to be ſealed, and that the ſame teſtament be lawfully proued before the ſame Ordinarie (before the ſealing) to be the true, whole, and laſt Teſtament of the ſame Teſtator, in ſuch forme as hath beene commonly accuſtomed in that behalfe. 21. H. 8. 5.

Probate of Teſtaments where the goods exceed not C.s.

Commiſſion of Adminiſtration.

2 When the goods of the Teſtator do amount ouer and aboue the clere value of a C.s. and doe not exceed the ſumme of xl.l. ſterling, then no Biſhop, Ordinary, nor other perſon or perſons whatſoeuer he or they be, hauing authority to take probation &c. of any Teſtament by himſelfe, or any his Miniſters, for the probation, inſinuation, and approbation of any Teſtament, or Teſtaments, or for the regiſtring, ſealing, writing, prayſing, making of Inuentories, giuing of Acquitances, Fines, or any other thing concerning the ſame, ſhall take, or cauſe to be taken of any perſon or perſons, but only iij.s. vj.d. and not aboue, wherof to be to the ſaid Ordinarie, for him and his Miniſters, ij.s. vj.d. and xij.d. reſidue to the Scribe for the regiſtring of the ſame. 21. H. 8. 5.

Probate of Teſtaments where the goods exceed not xl.l.

3 Where the goods of the Teſtator do amount aboue the clere value of xl.l.

Probat where the goods exceed xl.l.

sterling, then the Ordinarie by himself, nor any of his ministers, for the probation of any Testament, or for the registring &c. or any thing concerning the same Probate, shall take of any person but only v.s. and not aboue, whereof to be to the sayd Ordinarie for him and his ministers, ij.s. vj.d. and not aboue, and ij.s. vj.d. residue to be to the Scribe for registring of the same: Or else the Scribe to be at his libertie to refuse the ij.s. vj.d. and to haue for writing of euerie ten lines of the same Testament (whereof euerie line to containe in length x. inches) a peny. 21.H.8.5.

Testaments shalbe sealed and deliuered in time conuenient.

4 And euerie such Bishop, Ordinarie, or other person, hauing authority to take the Probation of any Testament, their Registers, Scribes, and Ministers, shall approue, insinuat, seale, and register the said Testaments, and deliuer the same, sealed with the seale of their office, to the executor or executors, named in such Testaments, for the summes aboue said, and in manner and forme aboue rehearsed, with conuenient spéd without any frustratorie delay. 21.H.8.5.

Administration.

5 If any person die intestat, or the Executors named in any such Testament, refuse to proue the said Testament, then the Ordinarie, or other person or persons, hauing authoritie to take Probate of Testaments, shall grant the Administration of the goods of the Testator, or person deceased, to the widow of the same person, or to the next of his kin, or to both, as by the discretion of the same Ordinarie shall be thought good, taking suertie of him or them to whom shalbe made such Commission, for true Administration of the goods, cattels, and debts, which he or they shall be so authorized to minister. 21.H.8.5.

Administration where diuers do request it.

6 And in case where diuers persons claime the administration as next of kinne, which be equall in degrée of kindred to the Testator or person deceased, and where any person onely desireth the administration as next of kin, where indéd diuers persons be in equalitie of kindred as is afore said: then the Ordinarie shalbe at his libertie to accept any one or moe making request, where diuers doe require the administration: or where but one or moe of them, and not all being in equalitie of degrée do make request, then the Ordinarie shall admit the widow, and him or them onely making request, or any one of them at his pleasure, taking nothing for the same, vnlesse the goods of the person so deceased amount aboue the value or summe of an C.s. And in case the goods of the person so deceased amount aboue the value of an C.s. and not aboue xl.l. then he and his officers shall take only ij.s. vj.d. and not aboue. 21.H.8.5.

How much the Ordinarie shall take for granting Administration.

Inuentorie.

7 The Executor and Executors named by the Testator, or person so deceased, or such other person or persons, to whom such Administration shalbe committed, where any person dieth intestate, or by way of intestat, taking to him or them two such persons at the least, to whom the said person so dying was indebted, or made any Legacie, and vpon their refusall or absence, two other honest persons being next of kinne to the person so dying, and in their default or absence, two other honest persons, and in their présence, and by their discretions shall make, or cause to bée made, a true and perfect Inuentorie of all the goods, cattels, wares, marchandizes, as well moueable as not moueable whatsoeuer, that were of the said person so deceased, and the same shall cause to bée indented, whereof the one part shal be by the sayd Executor or Executors, Administrator or Administrators, vpon his or their othe or othes, to bée taken before the sayd Bishops, Ordinaries, their Officials, or Commissaries, or other persons hauing power to take Probate of Testaments, vpon the Holy Euangelists, to bée good and true, and the same one part indented, shall présent and deliuer vnto the képing of the sayd Bishop, Ordinarie, &c. and the other part thereof to remaine with the sayd Executor or Executors, Administrator or Administrators, &c. Which Inuentorie so to him tendred, no Bishop, Ordinarie, &c. shall refuse to take, vpon the paine hereafter contayned. 21.H.8.5.

8 If

8 If the perſon deceaſed, will by his Teſtament or laſt Will, any lands, tenements, or hereditaments to be ſold, the money thereof comming, nor the profits of the ſaid lands for any time to be taken, ſhal not be accompted as any of the goods or cattels of the ſaid perſon ſo deceaſed. 21.H.8.5. Deuice of lands to be ſold.

9 And the ſame Ordinarie, &c. vpon the deliuerie of the ſeale and ſigne of the teſtator, ſhall cauſe the ſame ſeale to be defaced, and thereupon incontinent redeliuer the ſame ſeale vnto the ſaid Executor or Executors, without claime or challenge thereunto to be made. 21.H.8.5. The teſtators ſeale defaced.

10 And in caſe any perſon or perſons at any time require a Copie or Copies of the ſaid Teſtament ſo proued, or Inuentorie ſo made, then the ſaid Ordinarie &c. or his miniſters, ſhall from time to time with conuenient ſpéd without any fruſtratorie delay, deliuer or cauſe to be deliuered, a true copie or copies of the ſame vnto the ſaid perſon or perſons demanding the ſame, taking for the ſearch, and for the making of the copie of either of the ſaid Teſtament or Inuentorie, but onely ſuch fée, as before is rehearſed for the regiſtring of the ſaid teſtament, or elſe the Scribe or Regiſter to be at his libertie, to demand, haue, and take for euery ten lines therof being of the proportion before rehearſed, ſ.v. 21.H.8.5. Copies of teſtaments or Inuentories.

11 But where any perſons hauing authoritie to take Probate of Teſtaments, haue vſed to take leſſe ſummes of money then is aboueſaid, for the Probate of Teſtaments, or Commiſſions of Adminiſtrations, or other cauſe concerning the ſame, they ſhall take ſuch ſumme for the ſame, as they before the making of this Act haue vſed to take, and not aboue. 21.H.8.5. Cuſtome to take leſſe money for Probates.

12 Euerie Biſhop, Ordinarie, Archdeacon, Chauncellor, Commiſſarie, Official, and other perſon and perſons hauing authoritie to take probate of Teſtaments, their Regiſters, Scribes, Prayſors, Summoners, Apparitors, and all other their Miniſters, whatſoeuer they be, that ſhall doe or attempt, or cauſe to be done or attempted, againſt this Act in any thing, ſhall forfeit for euerie time ſo offending, to the partie grieued in that behalfe, ſo much money as he ſhall take contrarie to this Act: And ouer that ſhall forfeit to the K. and the partie grieued p.P. to be recouered, by A.I.B. &c. wherein no W.E.P. &c. And euerie of the ſame Biſhops, and other perſons which ſhall incurre the danger of ſuch penaltie, ſhall be charged onely for himſelfe, and none of them ſhalbe chargeable to the penaltie for others offences. 21.H.8.5. The forfeit for taking more then duetie.

13 But this Act is not preiudiciall to any Ordinarie, or other perſon, hauing authoritie to take Probate of Teſtaments, but euerie of them ſhall and may conuent before them euerie perſon made Executor of any Teſtament, to the intent to proue or refuſe the ſame, and to bring in Inuentories, and to do euerie other thing concerning the ſame, as they might do before the making of this Act: ſo that alwayes any ſuch Ordinarie &c. or other miniſters aforeſaid, ſhall not take for the ſame aboue the fées limited by this Act, ne in any wiſe attempt any thing contrary to any part of the ſame Act. 21.H.8.5. Executors conuented to proue the will, or bring in Inuentories.

14 No Spirituall perſon or others, hauing any Benefice or other Spirituall promotion within the Archdeaconrie of Richmond in Yorkeſhire, ſhall aſke, leuie, demaund, or take after the deceaſe of any perſon or perſons, any portion or portions, nor any other demaund or duetie, in the name or lieu of the ſame, vpon paine to incurre ſuch penalties as bée contained in the Statute of Prouiſors, made 25.Ed.3. (viz. they ſhall be attached by their bodies, and brought in to anſwer, and if they be conuict, they ſhall remaine in priſon, without being let to bayle or mainpriſe, or otherwiſe deliuered, vntill they haue paied a fine to the King at his pleaſure, and ſatisfaction to the partie grieued, and before their deliuerance they ſhall find ſuertie that they ſhall not attempt ſuch things in time to come. And if they cannot be found, an Exigent ſhall bée awarded againſt them by due Proces, and Archdeaconry of Richmond.

writs shall goe forth to apprehend their bodies, and in the meane time the King shall haue the profit of their benefices or other Spirituall promotions.) But euerie of the Kings Subiects of the said Archdeaconrie, and their Executors, and Administrators, shall be vsed for their goods and cattels, after their decease, in like maner, forme, order, and condition, as is contained in the foresaid stat. of 21. H.8. Any custome, vse, composition, prescription, or ordinance &c. notwithstanding. 26.H.8.15.

Proces.

Actions brought in the Counties where the cõtracts were

WRits of Debt, and Accompt, and all other such actions shall bee brought in the Counties, and directed to the Sherifes of the Countie where the contracts of such actions did rise: And if in Plæs vpon the same writs it bee declared, that the contract thereof was made in another Countie then is contained in the originall writ, then incontinently the same writ shall be abated. 6.R.2.2.

Action vpon the case.

2 There shalbe like Proces in Actions vpon the case sued in the K. Bench, and Common Place, as in actions of Tresspasse or Debt. 19.H.7.9.

Forcible entry.

3 The like Proces shalbe had in euery Action to be brought vpon the Statute of 5.R.2.7. as in a common action of Tresspasse at the Common Law. And the like Proces shalbe had in euerie writ of Annuitie and Couenant to bee hereafter sued, as in an Action of Debt. 23.H.8.14.

Seales of Proces.

4 There shall no writ concerning the Common Law, bee awarded vnder the little Seale. 28.E.1.6.

1 Proces in an Action vpon the case brought against the procuror of an Indictment, or Appeale. S. Appeales 5. Indictment 3.

2 Proces in Attaint. S. Attaint 2.6.

3 Proces in Debt, and Detinue of cattels. S. Exigent 1.

4 Proces in an Action of Forger of false deeds. S. Forgerie 3.

5 Proces in Communi custodia. S. Wards 2.

6 What Proces shall be awarded against a person indicted of Felonie. S. Indictment 5.

Proclamation.

Proclamations of Summons in reall actions.

AFter euerie Summons vpon the land in any reall action, fouretéene dayes at the least before the day of the returne thereof, Proclamation of the summons shalbe made on a Sunday immediatly after diuine Seruice and Sermon, if any Sermon there be, and if no Sermon there be, then forthwith after diuine seruice, at or nére to the most vsuall dore of the Church or Chappell of that Towne or parish where the land whereupon the Summons was made doth lye, And that Proclamation so made as aforesaid, shalbe returned, together with the names of the Summoners, and if such Summons shall not bée proclaimed and returned according to the tenor and meaning of this Act, then no Graund cape to be awarded, but an Alias and Pluries Summons, as the case shall require, vntill a Summons and Proclamation shalbe duly made and returned according to the tenor and meaning of this Act. 31.El.3.

1 For Proclamations vpon Exigents and Outlawries. S. Exigent.

2 For Proclamations vpon Fines leuied. S. Fines 3.

3 Proclamation that a Recusant indicted shal yeeld his body to the Sherif. S. Recusants 13.

4 Where proclamation shalbe made in a Writ of Admeasurement of pasture, or Dower. S. Admeasurement 1.

5 The

5 The Kings Auditors ſhal make proclamation in Market Townes, of the times and places of keeping their Audits. S. Audits 1.

6 Proclamation ſhalbe made vpon a Diſtreſſe deliuered of record in an Attaint S. Attaint 2.

7 Proclamations ſhalbe made, that a Bankrupt ſhall yeeld his bodie to the commiſſioners. S. Bankrupts 8. 14.

8 Proclamation ſhalbe made when a Writ ſhalbe directed to the Biſhop, to certifie Baſtardie. S. Baſtardie 3.

9 Three Proclamations ſhall be made in a writ of Communia Cuſtodia. S. Wards 5.

10 That a Proclamation ſhalbe of the force of a Statute. S. 31. H. 8. 8.

Prohibition, Conſultation.

Oblations. Obuentions. Mortuaries.

THe Kings Prohibition doth not lye when any tythes, oblations, obuentions, or Mortuaries (where Mortuaries haue bene vſed to be giuen) bee by thoſe names demaunded in an Eccleſiaſticall court, although for the long withholding of the ſame, they be eſtéemed at a certaine ſumme of money. But if a Clerke doe ſell his tithes being gathered in his barne, or elſwhere, for a certaine ſumme of money, if the money be demanded before an Eccleſiaſticall Iudge, the K. Prohibition ſhal take place, for by the ſale, ſpiritual things are become temporall, and tithes are turned into chattels. Art. Cleri. 9. E. 2. 1.

Money for tithes.

Penance for ſinne. The Church not well vſed. Vſing violéce to one of the Clergie.

2 If an Eccleſiaſticall Iudge do enioyne penance for deadly ſinne, as for fornication, aduoutrie, and ſuch like (for the which ſometime corporall puniſhment and ſometime puniſhment by the purſe is inioyned) or for that the Churchyard is vnfenced, or the Church vncouered, or not conueniently decked (in which caſes there is none other puniſhment but by the purſe) or for laying violent hands vpon a Clerke, or for defamation, when money is not demaunded, but correction of the offence required, or for breaking of any othe, or if the Prelat of a Church, or an Aduocate do demaund of a perſon a penſion due to him, the Kings Prohibition doth not lye: And in the foreſaid caſes the Eccleſiaſtical Iudge hath power to take order, notwithſtanding the Kings Prohibition to him directed. Artic. Cleri, 9. E. 2. Circumſpecte agatis 13. E. 1. For no Prohibition ſhalbe directed out of the Chauncerie, but where the K. Paieſtie hath, and of right ought to haue cogniſance of the plea. 18. E. 3. 5.

No prohibitiõ but where the King hath cogniſance.

Money for corporall puniſhment.

3 If a Prelat or Eccleſiaſticall Iudge will appoint, that one ſhall pay money for his offence, and the money is demaunded of the offendor, the Kings Prohibition doth lye, but if hée doe enioyne ſome corporall puniſhment, and they which are to bée puniſhed, will vpon their owne accord redéeme the ſame puniſhment with money, which money is demaunded before the Eccleſiaſticall Iudge, the K. Prohibition doth not lye. And likewiſe in Excommunication and defamation, the Eccleſiaſticall Iudge may correct by enioyning a corporall puniſhment, notwithſtanding the Kings Prohibition, the which if the offendor will redéeme, by giuing to the partie grieued money, he may, and the ſame may be demanded before an Eccleſiaſticall Iudge, and in thoſe caſes the K. Prohibition will not take place. But though any cauſe or buſineſſe (the cogniſance whereof belongeth to the Eccleſiaſticall Court) ſhalbe once determined before an Eccleſiaſticall Iudge, & become a thing adiudged, and not ſtaied by appeale, if after queſtion bee mooued vpon the ſame thing, betwirt the ſame perſons before any ſeculer Iudge, and be proued by witneſſes or inſtruments, the former iudgement ſhall bee no exception in the ſeculer Court, for one cauſe may be ſued before Eccleſiaſticall Iudges and ſeculer Iudges, in ſeuerall reſpects (as for laying violent hands vpon a Clerke.) And therefore

Where a ſuit may be commenced both in the Spirituall & Temporall Court for one offence

notwithſtanding the iudgement giuen in the Eccleſiaſticall Court, the Kings Court ſhall deale in that cauſe as it ſeemeth good. Articuli Cleri. 9. Edward. 2. 2. 3. 4. 6.

Indicauit. 4 If there bee debate vpon the right of Tithes (which hath his originall vpon the right of the Patronage) and the quantitie of the ſame Tithes doe exceed the fourth part of the value of the Church (if the ſuit be commenced before a Spirituall Iudge) the Kings Prohibition (viz. a writ of Indicauit doth lye. 9. Ed. 2. 2. Which writ of Indicauit ſhall not be graunted to any man, before the matter depending in the Spirituall Court, betweene the parties be Recorded, and the Chauncellor of England bee certified thereof by the ſight of the Libell. 34. Edw. 1. De coniunctim feoffatis.

Silua cedua. 5 If any Parſon or Vicar doe implead any other in a Spirituall Court, for the title of wood being twentie yeares of age or aboue, in the name of Silua cædua, the partie ſued ſhall haue a Prohibition, and vpon the ſame an Attachement. 45. Ed. 3. 3.

A Mill new builded. 6 If any perſon doe build a new Mill in his ground, and the Parſon of the ſame Parith doe demaund tithes thereof, the Kings Prohibition doth not lie. Art. Cleri. 9. E. 2. 4.

Indictment in the Sheriffes Turne. 7 If any Clerke or lay perſon being indicted before the Sherife in his Turne, and after by Enqueſt deliuered before the Iuſtices, doe ſue in the Spiritual court againſt ſuch Indictors, ſurmiſing that they haue defamed him, euerie perſon feeling himſelfe thereby greeued, ſhall haue a Prohibition in the Chauncerie vpon his caſe. 1. Ed. 3. 11.

Conſultation. 8 If any Eccleſiaſticall Iudges doe ſurceaſe to proceed in any cauſe moued before them by force of the Kings writ of Prohibition, in any caſe where remedy cannot be giuen vnto the complainants in the K. Court, by any writ out of the Chancerie, the Lord Chancelor, or the chiefe Iuſtice for the time being, vpon ſight of the Libell of the ſame matter, at the requeſt of the plaintife (if they ſee that the plaintife can haue no remedie out of the Chauncerie, but that the matter is determinable in the Eccleſiaſticall Court) ſhal writs vnto the Iudges before whom the matter was firſt brought in queſtion, that they ſhal proceed in the ſame cauſe, notwithſtanding the K. Prohibition to them directed. 34. Ed. 1.

No prohibition ſhalbe alowed, after conſultation graunted. 9 Where a Conſultation is once duly graunted vpon a Prohibition directed to any Eccleſiaſtical Iudge, the ſame Iudge may proceed in the ſame cauſe by vertue of the ſame Conſultation, notwithſtanding any other Prohibition deliuered vnto him, but the matter in the Libell of the ſaid cauſe ſhall not be enlarged, altered, or chaunged. An. 50. Ed. 3. 4.

A copie of the Libell, ſhalbe deliuered to the Iudge, before a prohibition granted. 10 If any partie for any cauſe appointed in the ſtatute prouided (2. Edw. 6. for true paiment of tithes and offerings) to be ſued or determined in the Kings Eccleſiaſticall Court, or before the Eccleſiaſticall Iudge, doe ſue for any Prohibition in any of the Kings Courts, where Prohibitions haue beene vſed to bee granted, then before any Prohibition ſhall be graunted to him, hee ſhall bring and deliuer to the hands of ſome of the Iuſtices or Iudges of the ſame Court where ſuch partie demaundeth Prohibition, the verie true copie of the Libel depending in the Eccleſiaſticall Court, concerning the matter wherefore the partie demaundeth the Prohibition, ſubſcribed or marked with the hand of the ſame partie, and vnder the copie of the ſaid Libell, ſhall be written the ſuggeſtion wherefore the partie ſo demaundeth the ſayd Prohibition. And in caſe the ſaid ſuggeſtion by two honeſt and ſufficient witneſſes at the leaſt bee not proued true in the Court where the ſaid Prohibition ſhall bee ſo graunted, within ſir Monethes next following after the ſayd Prohibition ſhall bee graunted and awarded: Then the partie that is hindred of his ſuit in the Eccleſiaſticall Court by ſuch Prohibition, ſhall vpon his

his requeſt and ſuit, without delay haue a conſultation granted in that ſame caſe, in the Court where the ſaid Prohibition was graunted, and ſhal alſo recouer double coſts and damages againſt the partie that ſo purſueth the ſaid Prohibition, the ſame to be aſſeſſed by the Court where the ſaid Conſultation ſhall be ſo granted, for which coſts and dammages the partie to whom they ſhall be awarded, may haue an Action of Debt by B. P. J. &c. in any of the Kings Courts of Record, wherein no W. C. P. &c. 2. Ed. 6. 13. S. Tithes 25. &c. At what time a Libell is grantable by the Law, it ſhall be granted and deliuered to the partie without any difficultie, to the intent the partie may purchaſe the K. writ of Prohibition according to his caſe. 2. H. 5. 3.

Conſultation for default of proouing the ſuggeſtion.

Propheſies.

IF any perſon or perſons doe aduiſedly and directly aduance, publiſh, and ſet forth by writing, printing, ſinging, or any other open ſpæch, or dæd, to any perſon or perſons, any fond, phantaſticall, or falſe prophecie, vpon, or by the occaſion of any Armes, Fields, Beaſts, Badges, or ſuch other like things accuſtomed in Armes, Cogniſances, or Signets, or vpon or by reaſon of any time, yeare, or day, name, bloodſhed, or warre, to the intent thereby to make any rebellion, inſurrection, diſſention, loſſe of life, or other diſturbance within this Realme, or other ỹ Quæenes dominions: Then euery ſuch perſon bæing thereof lawfully conuicted &c. for euery ſuch offence ſhall ſuffer impriſonment of his bodie by the ſpace of one yeare without baile or mainepriſe, and ſhall forfeit to the Quæne and J. r. r. to be recouered by A. J. B. P. &c. wherein no W. C. P. &c. And if any offendor doe eftſoones offend in any of the premiſſes after ſuch conuiction, and be thereof lawfully conuicted, then he ſhall for his ſecond offence and conuiction, ſuffer impriſonment without bayle or mainepriſe during his life, and alſo forfeit to the Qu. and J. &c. all his goods and cattels, reals and perſonals. But no perſon ſhall be impeached of any offence committed contrarie to this Act, vnleſſe he be thereof impeached or accuſed within vj. moneths next enſuing ſuch offence by him done, 5. Eliz. 15. S. Iuſt. of peace 24.

Protections.

IF the Kings Maieſtie doe by his Prerogatiue, graunt to any perſons which be bound to his grace for any manner of debt, Protections that they ſhall not bæ impleaded, for any debts which they owe to others, vntill they haue made ſatisfaction to him, for that which is due vnto him: Yet notwithſtanding euery man which hath cauſe of action againſt ſuch debtors, ſhall be anſwered in the K. Court by the ſaid debtors, and if the plaintife or demandant haue iudgement giuen for him, the execution of the iudgement ſhall be ſuſpended, vntill the K. be ſatiſfied of his debt. And if the Creditors will take vpon them to anſwere the K. debt, they ſhall be thereunto receiued, and moreouer ſhal haue execution againſt the debtors of the debt due vnto them, and alſo ſhall recouer againſt them ſo much as they pay to the K. for them. 25. Ed. 3. 19.

By the kings protection the parties ſuit ſhall not be hindered but his execution.

2 No Protectiõ with the clauſe (Volumus) ſhal be allowed before any Iudge, for victuals taken or bought vpon the voyage, or ſeruice, wherof the protection maketh mention: Nor yet in plæs of treſpaſſe, or of other contracts made or committed after the date of the ſame protection. 1. R. 2. 8.

Protectio cum clauſula Volumus.

3 No protection with the clauſe (Quia profecturus) ſhall be allowed in any plæ whereof the ſuit is commenced before the date of the ſaid protection (except it bæ in a voyage royall, or in the Kings meſſages for the affaires of the Realme.) But they

Protection Quia profecturus.

they which be impleaded shall make their Attorneyes to answer for them in such plees, or tarrie themselues if they will. But the Protection (Quia moratur) shall be allowed in all cases, as it hath beene. 13. R. 2. 16.

Causes of repealing a protection.

4 If any tarrie in the Countrey without going to the seruice, for the which he is retained, more than a conuenient time after he hath his Protection, or doe remaine from the same seruice, and the Chauncelor of England be therof informed, he shall repeale his Protection. 13. R. 2. 16. And if one doe cast a Protection of the Kings seruice, and his aduersarie will challenge the protection, and immediately when it is shewed forth, will auerre that his aduersarie was within the foure Seas, and forth of the kings seruice, so that he might haue come, the challenge shall be entred of record, and the matter shall remaine without day, according to the nature of the Protection. And when the partie shall be resummoned and come into the Court, and demaund iudgement, and hearing of the proces, and offer to auerre his challenge if his aduersarie will attend, if the enquest passe against him which cast the protection, it shall turne him to a default if he be tenant, and if he be demandant, he shall lose his writ and be amerced. 33. Edw. 1. Statut. de Protectionibus.

Protection for the County of Chester.

5 No writ of course in the nature of a Protection shall be graunted within the Countie Palantine of Chester, vpon the suggestion of any person indebted to any other comming to the Eschequer in the said countie Palantine, and there taking a corporall oath, that he shall pay his creditors as he shall be able (as in times past it hath beene vsed) without a speciall warrant from the king, his heires or successors containing such protection. 34. H. 8. 13.

Purueyors, Takers.

No subiects Chator shall take any thing against the owners consent.

IF any Chator, or other officer of any Lord or other person, doe presume to take, or else doe take any victuals, corne, hay, carriages, or any other thing of any of the kings liege people in any manner against their wills, without making a lawfull bargaine betwixt the said Chator or Officer, and the said person (except it bee for the king and his house) then if notice or request be made to the Mayor, Sherife, Bailife, Constable, or other of the kings officers of the Cities, Boroughs, Counties, or places where such taking shall be, the said Mayor, Officer, &c. shall immediately take and arrest all such Chators and Officers so offending, and send them to the kings next prison, there to remaine without baile or mainprise, vntill they haue redelinered all the things so taken, or the very value thereof. And if the said Maior, Officers, &c. doe the contrarie, they shall forfeit twentie pounds, whereof the king shall haue the one halfe, and the partie from whom the things were taken the other, if he will sue by A. of debt, wherein no W. &c. and if he will not sue, whosoeuer will, shall haue the suit to recouer the one moitie for the king, and the other for himselfe. And if any of the said Chators (other than the kings) be duely conuict of such vnlawfull taking, then they shall yeld to the partie who so sueth, the treble value of the things so taken, and the double costs of their suits, & also shall make fine to the king. And in all those actions no P. &c. 23. H. 6. 14. It seemeth by some statutes, that if any mans Chator or seruant, other than the K. doe take any thing of any man, but of him which will willingly sell it, as he can agree with the seller, or doe not pay for it presently according to the agreement, it is

Felonie.

felonie in the same Chator. 36. Ed. 3. 6. 7. R. 2. 8. S. 4.

No spirituall persons goods shalbe taken.

2 No Shirife, or other Officer of the kings, nor any other person, shall by commission vnder the great seale, or priuie seale, or without commission, take or carry away any manner of corne, haie, victuals, horse, bullocks, carts, boats, ships, or any goods of any Archbishops, Bishops, Prelats, Parsons, Vicars, or of any other

of

of the Clergie vnder the colour of buying, or by any other meane, within their manors, houses, granges, nor in other places within the fæ of the Church, or in market townes, or any other places against the wills of them whose the goods be, or of them in whose possession they then doe remaine. Neither shall the said Prelats or Clergie be charged to receiue into their houses any hostages, or Soiorners of Scotland, or other forraine Region: Nor the horses, dogges, fawcons, or other hawkes of the kings, or any other persons against their wils. Sauing they which of auncient right doe owe to his Grace that seruice, to kæpe his horses, hawkes, dogs, &c. 3. Ed. 1. 1. 10. Ed. 1. 14. Ed. 3. 1. And if any of the Kings purueyors, or takers doe the contrarie, the Prelats and Clerkes shall haue their action of trespasse against them, and recouer their treble dammages. 1. R. 2. 2. And in all commissions to be made for the prouisiõ of the kings house, the fæs of the Church in euery place shalbe excepted. 18. Ed. 3. 4.

3 Purueyors for the kings house shall pay or agræ for the prises that they shal make in the countrey of meate, drinke, and other necessarie things for the same house, with them of whom the things be taken, and they shall haue their warrant or commission with them (sealed with the kings great seale. 36. Ed. 3. 2.) containing their authoritie, and the things whereof they shall make prises, or purueyance, the which warrant they shall shew to them of whom they make their prises before they doe take any thing. And if any purueyor of the K. house by reason of his warrant doth make prises in other sort than is afore limited, if vpon complaint made to the Treasorer and Steward of the kings house, and by enquirie, he bee thereof attainted, he shall agræ with the plaintife immediately, and be put out of the kings seruice for euer, and remaine in prison at the kings pleasure. Stat. de prisis. 28. Ed. 1. 2.

Purueyors shall agræ for things taken.

Purueyors shall shew their commission.

4 If any make purueyance or prises without warrant, and doe carrie them away against the will of the owner, he shall be arrested by the towne where the prises were made, and carried to the next gaole, and if he be thereof attainted, hee shalbe punished as a felon, if the value of the goods doe so require. 28. Ed. 1. 2. S. 20. Rich. 2. 5.

Purueyance without warrant.

Felonie.

5 All purueyances which shalbe made for the kings house where he doth abide and passe through the countrey, shall be made by warrant and power giuen to thẽ which shall make the purueyance, in which warrant it shal be contained, that they shall buy nothing but by agrément betwæne the buyer and the seller, and by the good will of the sellers: & if any by colour of his commission take any thing against this ordinance, none shall be bound to obey him any more, than if he had no commission. 14. Ed. 3. 19.

Purueyance by the owners good will.

6 No Constable or his Bailife, shall take corne or cattell of any man for to victuall his castle, if the man be not of the Towne where the castle is, but hee shall forthwith pay for the same (except the seller will respite the paiment.) And if he be of the same Towne, the price of the Corne and Cattle shall bee paied vnto him within fourtie daies (except it bee an auncient price due to the King, the Castle, or the Lord of the Castle.) Magna Charta. 9. Hen. 3. 19. Westm. 1. 3. Ed. 1. 7.

Purueyance for a castle.

7 If any take corne or victuall to the kings vse vpon credit, or to the garrison of a Castle, or otherwise, and when they haue receiued their paiment in the Exchequer, wardrobe, or elsewhere, do withhold it from their Creditors, if they haue any lands or tenements, it shall be leuied of their lands and goods, and paid to their Creditors, with the dammage they haue sustained, and also they shall pay a fine to the K. for the trespas, and if they haue no lands, they shall be imprisoned at the kings pleasure. 3. Ed. 1. 31.

withholding of money due for prises.

8 If any taker of Wood or Timber to the kings vse, for worke or any other thing,

Taking of timber about a house.

thing doe cause to be cut or felled downe, any mans trées growing about or within his house, he shall pay to the partie his treble dammages, bée one yeare imprisoned, and lose his Office. 25. Edw. tertij 6. But by the Statute of Mag. Charta, 9. Henrici tertij 21. no wood shall be taken for the King without the owners consent.

Taking of shéepe.

9 No Purueyor of the Kings shall take any more shéepe before share time, but so many as may reasonably suffice vntill share time, and after that time they shall take as many shorne shéepe, and not other, as may reasonably suffice for the time to come. And if any Taker, Purueyor, or Buyer, take any shéepe with their woll, betwixt Easter and the feast of S. John Baptist, praise them at a small price, and send them to his house to be shorne to his owne profit, and thereof be attainted at the suit of the King, or the partie, he shalbe vsed as a thiefe, or a robber. 25. Ed. 3. 15.

Felonie. Quære.

Purueyance for the Kings horses.

10 All Purueyances that shall be made for the Kings great Horses, so long as they doe soiourne in any Countrey, shall be made by the Sheriffes of the Counties where such horses doe soiourne, and not by any other, and the purueyances made by the Sherife in this case, shall be deliuered to the Kéepers of the Horses, by Indenture. 10. Ed. 3. 4. But no commission shall be made to any, but onely a commandement to the Shirife, that he make purueyance of the issues of his Bailiwicke: And the number of the Horses for the which he shall make purueyance, shalbe contained in the commaundement, and no purueyance shall be made aboue that number: Sauing that the chiefe Kéeper shall haue a Hackney, and for euery horse shalbe allowed one seruant, without bringing women, pages, or dogs with them: And if there be any more found there remaining to charge the Countrey, they shalbe sent to prison, vntill the K. pleasure be knowne. And in like manner,

Purueyance for the Kings dogges.

purueyances shalbe made for the K. dogs, when as he sendeth them into the countrey, and if any man be grieued against the forme aforesaid, he shal haue his remedie against the Sherife. 14. Ed. 3. 19.

Purueyance for the Kings Wardrobe.

11 Takers of Prises in Faires, good Townes, and in Ports, for the Kings Wardrobe, shall haue their common warrant vnder the Seale, and the things that they shall take, shall be testified vnder the Seale of the Kéeper of the Wardrobe. Of the number of the things taken, the value, and the quantitie, there shall be an Indenture made betwéene the takers and the kéepers of faires, Maiors and Bailifes of those Townes and Ports where such goods be taken, by the view of those Marchants whose goods be taken, and they shall take no more than is contained in their Indenture, which Indenture shall be sent into the Wardrobe vnder the Seale of the Kéepers of the faire, Maior, or chiefe Bailife, there to remaine vntill the account of the Wardrobe be giuen to the K. And if any be found that he hath taken otherwise than he ought to doe, vpon his account, hee shall be punished by the Kéepers of the Wardrobe, according to his deserts. And if any make such prises without warrant, he shall be punished as a Felon, if the value of the

Felonie.

goods doe require it. But the Kings right of auncient prises due and accustomed of Wines and other goods shall be saued. 28. Ed. 1. 2.

No vitailer shall be a taker of carriage

12 If any Letters patents at any time shall bee graunted to any Hostelers, Brewers, or other Vitailers kéeping hosteries, or houses of retailing of Vitailes, to take Horses and Carts for the kings carriage, the same patents shall be void. 28. H. 6. 2.

Taking money to spare any mans horse, or cart, or taking without an officers deliuerie.

13 If any person doe take any Horse or Cart, without agréeing with the owner for the same, and by the deliuerance of the Maior, Sherife, Bailifes, or Constable, where such taking is, or doe take any money of any person for to deliuer vnto him his horse or cart, which he hath taken, or doe take any fine of any of the kings people to shew them fauour, and not to take their horses or cartes,

then

then he or they from whom such horse or cart, or of whom such fines or payments be taken, shall haue an action of Tresps at the Common Law for such takings, and shall recouer against the offendor treble damages. Sauing to the king his prerogatiue & preheminence of & in the premisses. 28.H.6.2. 3.Ed.1.31. But no demesne Cart of any spiritual person, Knight, or other Lord, shalbe taken by the K. bailifes. Magna Charta 21.9.H.3.21.

14 No Buyer or Purueior of Vitailes, or Takers of carriages, shall receiue of any one or other any gift, or other good turne to spare him, nor shal charge or grieue any man by reason of such takings, buyings, and carriages for hatred, enuie, euill will, or procurement: and if he doe, and thereof be attainted at the parties suit, he shall yeeld to the partie his treble damages, haue two yeeres imprisonment, be punished at the kings pleasure, and forsweare the Court: And if the partie will not sue, he that will sue for the king, shall haue the third peny of that which shall be recouered, for his pains, and neuertheless the Purueior shall receiue the foresaid punishment. 36.Ed.3.3. Receiuing reward to charge another.

15 Certain Marchants, or other honest & discréet men shalbe assigned by the L. Treasurer to make purueiance of flesh, fish, & other vitailes for the K. warres, & for to vitaile castles & townes in England, or elsewhere, without Commission, & without the K. authoritie, or any other: so that no man shal be enforced to sell any thing against his will. 14.E.3.19. Purueyance for ships and Castles.

16 All Takers and Purueyors shall take all corne, hay, litter, & other victuall and goods of the kings people by measure striked, according as is vsed through the Realme, and shall not measure them by heape, nor otherwise take excessiue measure, and shall make present payment for the carriage thereof. And no man is bound to deliuer for the Quarter but vij. Bushels striked. 4.Ed.3.3. 25.Ed.3.1. 36.Ed.3.2. 11.H.7.4. And if any of the kings Purueyors, or other persons, doe buy or take any Corne in other sort, or by other measure, but vij. bushels striked for the Quarter, and thereof is attainted, he shall be one yeere imprisoned, pay to the king 100. shillings, and to the party grieued as much for euery time that he is thereof attainted. And the party that will sue, may haue his action vpon the case, and as well the party grieued, as euery one of the kings liege people, which will sue for the king, may maintaine the suit in this case at his pleasure. And nothing shall be taken for measuring of the said Corne. 1.H.5.10. 11.H.6.8. S. Iustices of Peace 59. By what measure Purueiors shall take.

17 The Corne, Cattell, and other Victuall, and things which shall bee taken for the kings house, shall be taken in such place where most plentie is, and in conuenient time, and no more then is needfull for that season. And if the Purueyor or Buyer cannot well agrée with the seller, for that which he shall need, then the same shall be praised at the very value, by the Constables, and foure honest men of the Townes where such taking is, thereunto sworne, and the praisers shall not bee constrained by menace, threats, dures, or other villanie, to set any price, other then their othes do require, but as such things do commonly go in the nert Markets. And Indentures or Tayles shall be presently made betwirt the Purueyors, and those from whom the goods be taken, in the presence of the said Constables, and foure Praisors, containing the quantitie of their takings, the price, and of what persons, and they shall bée sealed with the Purueyors seales, by which Indentures or Tayles, satisfaction shall bée made to them from whom such goods bée taken. And if any Taker or Purueyor doe make his prouision in any other manner then by foure discréet men of the Towne, or do not deliuer Tayles or Indentures with his seale, as is before said, hée shall bée incontinently arrested by the Towne where such purueyance was made, and brought to the nert Gaole, and if he be thereof attainted, he shall bée punished as a Felon, if the quantitie of the Appraisement of things purueyed. Felony.

the goods doe require. 5. Ed. 3. 2. 10. Ed. 3. 1. 25. Ed. 3. 1. 36. Ed. 3. 2.

Quere. But consider the foresaid Statutes diligently, whether the Appraisement shall bee made by the Lords of the Townes, or their Bailifes, or by the Constable and 4. men of the Townes, and whether there shall be Indentures deliuered or Tailes, and also whether the said Indentures or Tailes shall be made between the Purueyors and foure Praisers, or betweene the Purueyors and owners &c. for thereupon the foresaid Statutes do somewhat differ. S. 27. 28.

Commissions to enquire of Purueyors behauiour. 18 Commissions shall be directed vnto two wise and credible men of euery countie, and to a third man of the K. house, that they three, or two of them shal enquire of the behauiour of the Kings purueyors and buyers, and how much the K. purueyors of victuals and great horses haue taken and bought, and how much cariage they haue taken of euery village, or single person, and to heare and determine as well at the K. suit, as at any other mans which shal find himselfe grieued, the contempts, outragious dealings, and trespasses committed by them in this matter. And that the said Justices or Commissioners may be duely informed of the foresaid things, the Steward, Treasorer, and Comptroller of the K. house shall assemble together, and call before them, all the Clerkes and other Officers of the same house, and seeing the receipt of the parcels purueyed in the Countrey, and spent in the said house euery quarter, or halfe yeare, shall certifie into ỹ Chancery the parcels taken in euery village, & of euery person: which certificat the Lo. Chancelor shall send down to the foresaid Justices or Commissioners, and if it bee found at the K. or the parties suit in the countrey by euidence of the Indictors, or in other manner, that the purueyors haue taken more than they haue deliuered to the K. house, & that they haue not paied for that which they haue taken, it is felonie, and they shall be punished as felons. 36. Ed. 3. 4.

Felonie.

Puruciance in other manner then is compriled in his commission. 19 If any Taker or Buyer, after commission to him directed, doth puruey or buy, or take any carriage in other manner than is comprised in his Commission, it is felonie. 36. Ed. 3. 2.

Purueyors oath. 20 Euery purueyor and buyer for the K. before he hath his commission, shalbe sworne in the Chancerie, that he shall take nothing of the kings people, contrarie to the foresaid statute made 36. Ed. 3. against the disorder of purueyors: In which statute amongst other things it is ordained, that the hainous name of purueyors

The name of Purueyors changed. shall be changed, and that they shall be called buyers, and that there shal be as few of them as may be. 23. H. 6. 1. 2.

Resistance of the Purueyors offending. 21 The prayors, and all the townes adioyning (if need be) are bound to doe their indeauour, to resist the Buyers and purueyors doing contrarie to the said statute made 36. Ed. 3. and as much as in them is to execute the same statute vpon the purueyors, if they be required, and he which is grieued with the taking of his goods, contrarie to the said statute, may chose to haue his action of debt against the said prairors, Towne or Townes, and euery of them which doe not their indeauour in resistance of the said purueyors or buyers, in forme aforesaid, when they be required, or else against the said purueyors, and euery of them, to recouer treble value of the goods so taken, and also his treble costs and dammages. And if any purueyor, or other of the kings officers do trouble in the Marchalsie, or elsewhere any of the kings liege people, by any cuill suggestion, or cause fained against them, because of the execution of the foresaid ordinances made 36. Ed. 3. he shall forfeit to the partie grieued rr. pounds, beside his dammages and costs thereby sustained: And the partie shall haue thereupon an Action of debt. And euery issue triable in this action shall be tried in the Countie where the goods were taken, and the defendants in all the foresaid cases shall answere without fourching, and no W. ne. E. P. nor aid of the king shall be allowed to them. And the Sergeant of the Catrie, shall satisfie all the dammages, debts, and executions which shall

be

be recouered againſt any purueyor vnder him in all the foreſaid caſes. And if the purueyor be not ſufficient to make ſatisfaction, the plaintife ſhall haue a Scire facias againſt the ſaid Sergeant to haue execution. 21. H. 6. 1. Sergeant of the Carrie.

22 No Purueyor or Buyer, ſhall make any purueyance for the Kings houſe of any thing to the value of xl. s. or vnder, except he make ready paiment in hand, vpon paine to loſe his Office, and to pay the value to the partie grieued. 2. H. 4. 14. And in caſe any Purueyor, buyer, or taker, will take or buy any thing to the value of fourtie ſhillings, or vnder, of any perſon, and make not ready payment in hand, then it is lawfull to euery of the kings liege people to retaine their goods and cattels, and to reſiſt ſuch purueyors and buyers, and in no caſe to ſuffer them to make any purueyance. And euery Conſtable, Withingman, or chiefe pledge of euery Towne or Hamlet, where ſuch purueyance ſhall be made, ſhall be aſſiſting to the poſſeſſor or ſeller of ſuch things, to be taken againſt the forme aforeſaid, to make reſiſtance in forme aforeſaid, in caſe they be required ſo to doe, vpon paine to yeeld to the partie grieued the value of the things ſo taken, with his double dammages, and none of the kings people ſhall be put to any loſſe or damage by the K. or any of his officers for ſuch reſiſtance. And none of the kings officers ſhall cauſe any of the kings people to be arreſted, vexed, or impleaded in the Court of the Marſhalſey, or elſewhere, for ſuch retaining or not ſufferance, vpon paine to forfeit xx. l. to the king and I. &c. And in euery action commenced vpon this ſtatute, the defendant ſhall anſwere without aid of the king, & in ſuch action proces ſhalbe made, as in a writ of Treſpaſſe done againſt the peace. 20. H. 6. 8. S. Iuſt. of peace 58. Ready paiment.

23 Purueyors aſſigned by the kings commiſſion for prouiſion for his Grace, ſhall and may prouide all victuals, corne, and other kind of things whatſoeuer it be, as well within liberties and fraunchiſes as without any graunts, allowance, or other thing to the contrarie, or let thereof notwithſtanding. But ſuch purueyors ſhall obſerue the ſtatutes for them prouided in euery behalfe. 27. H. 8. 24. Purueyors may take within liberties.

24 No Purueyor or other perſon whatſoeuer, ſhall by vertue of any commiſſion or otherwiſe, take any Herrings, or Sea fiſh from any the K. ſubiects, that ſhall take the ſame in the ſhips or other veſſels of the ſaid ſubiects, otherwiſe than by agreement of the owners or ſellers of the ſaid fiſh, vpon paine to forfeit the double value of the Herrings or Fiſh ſo taken. And it is lawfull for any perſon being owner or ſeller of any fiſh ſo taken, to withſtand any perſon that will (by colour of purueying or otherwiſe) demaund any ſuch fiſh, or the toll of any ſuch fiſh, without the good will of the owner or ſeller. Prouided that the fiſh called compoſition fiſh, heretofore graunted to the K. by the ſubiects of this Realme trauailing into Iſeland, ſhall be taken by her Maieſties officers and purueyors, in ſuch ſort as the ſame hath beene lawfully vſed to be taken before the making of this Act. And ſauing to the K. her heires & ſucceſſors, and to all other perſons, ſuch fiſhes as be knowne and vſed to be called Regall fiſhes, whereunto her Maieſtie or the ſaid other perſons haue, or ſhall haue right or intereſt for ſuch recompence as heretofore hath bin accuſtomed. 5. El. 5. 1. Iac. 25. to continue to the end of the firſt Seſſion of the next Parliament. Taking of fiſh. Compoſition of regall fiſh.

25 Euery Commiſſion that ſhall be made, graunted, and directed to any perſon or perſons, wherby he or they, or his or their deputies ſhall haue authoritie to take any Beeues, Wethers, Lambes, Calues, or any kind of ſalt Fiſh, or any kind or kinds of graine, or butter in barrels, or other veſſels, cheeſe, bacon, conies, pigges, geeſe, capons, or hennes, ſhall not continue aboue fiue moneths at the farthеſt, next enſuing the date of any the ſaid commiſſions, and after the end of ỹ ſaid fiue moneths, euery of the ſaid commiſſions ſhal be void, whatſoeuer words, matter, or ſentences be contained in any of them. 2. & 3. P. and M. 6. How long commiſſions for the taking of victuall ſhall endure.

In commissions the county where, and the quantitie of the things to be taken, shalbe expressed.

26 In euery such Commission shall be plainly aſwell expreſſed such Countie or Counties, as any of the said beeues, weathers, lambs, calues, hoggs, or swine, or any kind of salt Fish, or any kind or kinds of graine, butter, cheese, bacon, conies, pigs, geese, capons, or hens, or any of them, is to be purueied or take in by any of the persons or their deputies so authorized by the said cõmission, as also the full portion & number of all such beeues, wethers, lambes, &c. or any of the, as any of the said persons or their deputies shalbe by force of the said cõmissiõ authorized to take or puruey within any of the said Counties. 2. & 3. P. & M. 6.

Blankes annexed to commissions.

27 To euery such commission shal be annexed so many blankes in parchment, as there shalbe seuerall Counties named within the said commission, in the which blankes shalbe faire and legeably written all & euery such beeues, wethers, lambs, calues, swine, any kind of salt fish, or any kind of graine, butter, cheese, bacon, conies, pigs, geese, capons, and hennes, with the true and seuerall prices of euery of them, as shalbe purueied & gathered by any person or his deputies, thereunto authorized by any such commission, within any particular towne, parish, or hamlet, being within any those Counties as shal be expressed within the said commission, whereunto shalbe subscribed the name or signe manuel of euery such high Constable, petit Constable, or Headborough, as shall be by any precept to him directed by any person, or any of his deputies authorized thereunto by such commission, priuie or knowledging to the deliuerie of the said beeues, or other things aforesaid, or any of them. 2. & 3. P. & M. 6.

The high Constables hand set to euery blanke.

Dockets deliuered to the high Constables.

28 Euery person or his deputie which shall bee by commission authorized to take any beeues, wethers, lambes, calues, swine, salt fish, or any kind of graine, butter in barrels, or other vessels, cheese, bacon, conies, pigges, geese, capons, and hennes, or any of them, shall make a Docket or brieſe in writing, subscribed with his name, containing all and euery such beeues, wethers, and other things aforesaid, as hee shall by vertue of the said Commission take within any particular towne, parish, or hamlet, in any such Countie or Counties, as shall be expressed within the said commission, and the same docket or brieſe faire and legeably written and subscribed, shall well and truely deliuer to the said high Constable, petit Constable, or Headborough, at such present time, as the said beeues, or other things aforesaid shall be deliuered to any of them, vpon paine of one yeares imprisonment, and to forfeit a hundred Markes to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. as oft as he shall offend. All which dockets or brieſes, the said high Constable, petit Constable, or Headborough shall deliuer ouer to the Iustices of Peace at the nert generall Sessions holden within any of the said Counties. And the same Iustices, or two of them, may and shal from time to time certifie the whole number and content of all and euery of the said dockets and brieſes to the Lord steward of the Qu. houshold, or to the Treasurer or Controller of the same, or any of them, or to the Treasurer or Controller of the Quæns shippes, if prouision of any the things before mentioned be taken for the vitailing of the Nauie, or any of the Quænes shippes, whereby the true seruing of any of the foresaid commissions, and true answering of the same shall fully appeare. 2. & 3. P. & M. 6.

Dockets deliuered to the Iustices of peace.

All former statuts prouided for purueiors, must be obserued.

29 It shall not be lawfull to any person, or his deputie, authorized by such commission, to leuie, take, or puruey any Beeues, Wethers, Lambes, Calues, any kind of salt fish, graine, butter in vessels, cheese, bacon, conies, pigges, geese, capons, & hennes, or any of them, in any other sort then is expressed in seuerall Statutes heretofore made for Purueiors, vpon such paine & paines, as in the said seuerall statutes is contained. 2. & 3. P. & M. 6.

Statuts prouided for purueiors, shall extend to their Deputies.

30 All and euery such lawes, statutes, and prouisions as heretofore haue bin made against Purueyors, and all and euery of the paines, penalties, forfeitures,

and

and losses, appointed in any of the same lawes and statutes against Purueyors and Takers, shall also be extended and executed vpon euery of their vndertakers, deputies, and seruants, and all other which by colour shall take any victuall, or any other thing by force of any such commission from any the Quænes subiects, cõtrarie to the tenor and effect of any of the said lawes or statutes, in like manner to all intents, as the same should or ought to be extended against Purueyors & Takers themselues, and as strongly as if the said vndertakers, deputies, & seruants were specially and particularly named in euery of the said statutes. 2. & 3. Phil. & Mar. 6.

Commissions written in the English tongue.

31 Euery Commission that shall be made and graunted vnto any Purueyor, shall be written in the English tongue, and not otherwise. 2. & 3. Ph. & M. 6.

Purueyance within Cambridge, or Oxford, or fiue miles thereof.

32 No Purueyor, Taker, Badger, Loader, Poulter, or other minister for the Quæne, her heires or successors, nor any other common Poulter, shall take, or bargaine for any kind of victuall or graine in any of the Markets or Townes of Cambridge, or the citie of Oxford, or either of them, nor within the compasse of fiue miles thereunto adioyning, without the consent, agreement, good will, and licence of either of the Chauncellors, or Vicechauncellors, in writing obtained vnder the seale of the office of the said Chauncellor or Vicechauncellor of either of the said Vniuersities, and in no other forme than in the said licence shall be expressed: So as the same giue not to any of the said Purueyors, or others, any further authoritie than they haue, or may lawfully vse in other parts of the same Countrey, being without the said limits of fiue miles: Neither shall attempt to carrie, take away, or bargaine for any graine and other victuall bought and prouided within the said space of fiue miles, by any common minister of any Colledge, Hostell, or Hall, to be spent within any of the same colledges, Hostels, or Halls, without like licence, and in no other forme than is next before mentioned, vpon paine of forfeiture of the quadruple value of any such graine or victuall so taken or bargained for, in any of the said Markets, or within the space of fiue miles, or attempted to be taken, carried away, or bargained for, being prouided to be spent in any of the said Colledges, Hostels, or Halls: The one halfe of which forfeiture shall bee to the common Treasurer of either the said Vniuersities, respectiuely to the fault committed against this their priuiledge, the other to the partie that will sue for the same by A. I. &c. in any court of record, or before the foresaid Chauncellor, or his Vicechauncelor, or Commissarie, and two Iustices of the peace, of the Countie where the said Vniuersitie is set: And further shall suffer imprisonment for the space of three moneths, without baile or mainprise. 2. & 3. P. & M. 15. 13. El. 21. S. Iust. of P. 60.

Purueyors may take of them which refuse to serue the Vniuersities.

33 If any person within the said precinct of fiue Miles, shall refuse reasonably to serue the necessarie prouision of the said Vniuersities, according to ỳ true meaning of this Act, then it shall be lawfull to any of the M. Takers or Purueyors, to prouide any corne or victuall of any such person, within any part of the precinct aforesaid, to the vse of the M. as shall be declared to the said Takers to be persons not worthy of the said priuiledge (for not reasonable seruing the necessities of the said Vniuersities) by the Chauncelor or Vicechauncelor of either of the said Vniuersities, with the consent of two Iustices of peace resiant within either of ỳ said Vniuersities, Citie, Towne, or Countie, vnder their hands and seales, as the said Purueyors lawfully may in any other place without the said precint of v. miles, and not otherwise. 13. El. 21.

The act suspended during the Q. continuance within seuen miles.

34 But this act shall not be put in execution at any time, whensoeuer the Quæne her heires or successors shall come to any of both the said Vniuersities, or within 7. miles of either of them, but shal be in suspence during that time onely, and no longer. 13. El. 21.

The liberties of Oxford and Cambridge reserued.

35 This Act shall not be preiudiciall to the Mayor, Bailifes, and Comminaltie of the Citie of Oxford: Nor to the Mayor or Comminaltie of the Towne of Cambridge, or to their successors, concerning any of their liberties or priuiledges. But euery of them and their successors respectiuely may haue and vse the same in such manner, as they ought to haue done before the making of this Act. 2. & 3. P. & M. 15. 13. El. 21. 1. Iac. 25. to continue in force vntill the end of the first Session of the nert Parliament.

1 No Purueyor of Timber, shall fell any Timber to the Kings vse, but onely in barking time. S. Leather 14. 15. 16.

2 The Statute prouided for the preseruation of Woods, shall not extend to Woods purueyed by the Q. Commission. S. Woods 17.

3 Concerning Purueyors for Cities and corporat Townes. S. Badger 4.

Quare impedit.

Places in Quare impedit.

In assises of Darreine presentment, and in the plee of Quare impedit, of Churches being void, daies shalbe giuen from 15. daies to 15. daies, or from 3. weekes to 3. weekes, as the place shall be neere or farre off. And in the plee of Quare impedit, if the disturber doe not come at the first day whereunto he is summoned, nor to cast an Essoine, then he shall be attached against another day, in which if he come not, nor cannot cast an Essoine, he shall be distrained by the graund distresse, and if he doe not then appeare, by his default the bishop of the same place shall be written vnto, that the disturbers deniall at this time nothing hinder the plaintife, sauing the disturbers right another time when he will sue. The same law as to the making of Attachments, shall be obserued in all writs where attachments lie, as in making distresses, so that the second attachment shall be made by better pledges, and at the least a distresse. Marleb. 52. H. 3. 12. S. Auowson, Incumbent, Lapse, Assise 12.

Quod permittat.

Iuris vtrum.

Euen as the Parson of a Church may recouer common of Pasture by writ of Nouel disseisin, so shall his successor recouer against the disseisor or his heire by a writ of Quod permittat. And as there is a writ grantable to enquire, whether a tenement be the free almes of such a Church, or the lay fee of such a man. So the like writ may be awarded to enquire whether it be free almes of such a Church, or of an other Church, in case where the free almes of one Church is transferred into the possession of an other Church. West. 2. 13. Ed. 1. 24.

Quod ei deforceat.

If lands be recouered by default against tenant in dower, tenant in franke mariage, tenant by the Curtesie of England, tenant for terme of life, or tenant in taile, in which cases the reuersion is saued: Their default shall not be so preiudicial to them, but they may recouer their estate, if they haue right, by another writ then a writ of Right, viz. by a writ of Quod ei deforceat. And also they may vouch to warrantie him in the reuersion. West. 2. 13. Ed. 1. 4.

Rape.

If any man doe rauish a maried wife, a maide, or other woman where shee doth not assent before nor after, it is Felonie. And in like sort if a man doe rauish a

maried

maries wife, maide, or other woman with force, though shee do consent after, it is Felonie. Westm. 1. 13. Ed. 1. 34.

2 If any person shall vnlawfully, and carnally know, and abuse any woman childe, vnder the age of x. yeares, it is felony, and the offendor thereof being duely conuicted shall suffer as a felon, without allowance of Clergie. 18. Eliz. 6. S. Clergie 10. Abusing a woman child vnder x. years of age.

3 If any Noblemens daughters, Ladies, or other women be rauished, and after the same Rape committed, doe consent to the Rauishors, as well the Rauishors as they that be rauished, and euery of them shall be disabled, and be disabled Ipso facto, to haue or challenge all manner of inheritance, dower, or ioynt feoffement after the death of their husbands and auncestors. And immediately in this case the next of the blod of those rauishors, and of those which be rauished (to whom the inheritance, dower, or ioynt feoffement ought to discend, reuert, remaine, or come after the death of the rauishor, or her that is rauished) haue title incontinently after the rape, to enter vpon the rauishor, or her which is rauished, their assignes, and land tenants in that inheritance, dower, or ioynt feoffement, and the same to hold by estate of inheritance. And the husbands of such women (if they haue husbands) or if they haue no husbands liuing, then their fathers, or other their next kinsmen in blod, shall haue the suit to prosecute, and may pursue against the same offendors and rauishors, in this behalfe, and to conuict them of Felonie, though the same woman after the Rape doe consent to the Rauishors. And in this case the defendant shall not wage battell, but the truth of the matter shall be tried by the countrey. Sauing alwaies to the king, and other Lords of the Realme, all their Escheates of such Rauishors if they bee conuict. 6. R. 2. 6. The fift. where the woman rauished doth consent.

1 How the defein appeale of Rape shall be vsed. S. Coroners 7.

Receit.

IF in an action brought against the husband and the wife, of lands which be the right of the wife, the husband wil absent himselfe, and will not defend his wiues right, or will against his wiues consent, yeeld the land: If the wife will come before Judgement, and be ready to answere to the demandant, and to defend her right, she shalbe thereunto admitted. West. 2. 13. Ed. 1. 3. wher the wife shalbe receiued vpon the husbands default.

2 If any man doe purchase a writ against tenant in dower, tenant by curtesie of England, or any other tenant for terme of life, or tenant in taile, of lands, where the reuersion is in another, and he doth make default, or will yeeld the land, the heires, or they that haue the reuersion shall be admitted to answer, if they come before iudgement. And if by default or yeelding, iudgement shall be giuen, then the heires, or they which haue the reuersion, shall recouer after the death of such tenants by a writ of Entre ad communem legem. West. 2. 13. Ed. 1. 3. But if any man being not partie to the suit, will come before Judgement in the foresaid case, and desire that he may be admitted, he shall find such sufficient suretie before his admission, as the Court shall thinke meete, to satisfie the demandant the value of the issues of the land so to be recouered, from the day that he is receiued to make answere, vntill the day that finall Judgement shal be giuen vpon the demandants petition. And if the demandant doe recouer the thing in demaund, the defendant shalbe grieuously amerced, if he haue wherof, & if he haue not wherof, he shalbe committed to the Gaole, & there remaine during the K. pleasure. And if he can proue his right to be such as he affirmed it at the time of his receit, he shall goe quit. 20. Ed. 1. Defensione Iuris. Where he in the reuersion shalbe receiued. The receit of one not partie to the suit.

3 If any Tenant for terme of life, Tenant in dower, Tenant by the courte-

Receit of him in the reuerſiõ

ſie, or Tenant in taile after poſſibilitie of iſſue extinct, be impleaded, and he in the reuerſion doth come into the Court, and praieth to bee receiued, to defend his right, at the day that the tenant doth plead to the Action, or before, he ſhall be receiued to plead in cheſe to the action, without taking delay by voucher, aid prier, nonage, or other delay whatſoeuer, ſo that after ſuch receit, he ſhall haue no delay by Protection, Eſſoine of the Kings ſeruice, or common Eſſoine, but the ſuit ſhall be haſtened as much as it may by the Law. And daies of grace ſhall be giuen by diſcretion of the Iudges, betwixt the demaundant and him which is ſo receiued, and not the common daies giuen in pleas of Land (except the demaundant will thereunto aſſent) to the intent the demaundant ſhall not bee too much delayed, which muſt plead with two aduerſaries: And he in the reuerſion which praieth to be receiued, ſhall find ſureties for the iſſues of the Land, as well where the receipt is counterpleaded, as where it is graunted, vt ſupra &c. 13.R. 2.16.

Daies of grace.

Records.

In what caſes Iuſtices may amend Records.

THe Kings Iuſtices, before whom any miſpriſion or default ſhall bee found in any Records or Proces, which depend before them by way of Error, Adiornement, or otherwiſe, or in returnes made by Shirifes, Bayliffes of Fraunchiſes, or any other perſon, by miſpriſion of the Clerks of any of the ſaid Courts, or by miſpriſion of the Sheriffes, Vnder-ſheriffes, Coroners, or any other Officers or Clerks, in writing of one letter or one ſillable too much, or too little, haue power to amend ſuch default after their diſcretion, and by examination where they ſhall thinke good, as well after iudgement, as before iudgement, and as well after iudgement giuen vpon a verdict paſſed, as vpon a matter in law pleaded, and the ſame proces ſhall not be auoyded or diſcontinued therefore: But theſe Statutes extend not to Records and Proces in Wales, or where proces of Outlawrie lieth. 14.Ed.3.6. 9.H.5.4. 4.H.6.3. 8.H.6.15. The Iuſtices aſſigned to take Aſſiſes by the Kings Commiſſion in the Counties of this Realme, ſhall cauſe to be deliuered into the kings treaſurie, all the Records of Aſſiſes of Nouel diſſeiſin, of Mortdaunceſter, and of Certifications, with all their appurtenances, and appendants determined before them, euery ſecond yeare, that the plea thereof be determined, and the iudgement giuen, without more delay. And the records and Proces of pleas reall and perſonall, and of Aſſiſes of Nouel diſſeiſin, of Mortdaunceſter, and Certifications, and of other whereof iudgement is giuen and inrolled, or things touching the ſame pleas, ſhal in no wiſe be amended, or impaired, by new entring of the Clerkes, or by the record, or thing certified in witneſſe, or commaundement of any Iuſtice in any thing, after ſuch iudgement, or ſuch pleas be giuen and inrolled. 11.H.4.3.

In what caſes Records may not be amended.

2 For Error aſſigned in any Record, Proces, warrant of Atturney, originall Writ, or iudicial, panell, or returne, in any place of them raſed or interlined, or in any addition, ſubſtraction, or diminution of words, letters, titles, or parcell of writs, found in any ſuch Records, proces, &c. where ſuch raſure, interlining, addition, &c. by the diſcretion of the Iudges of the Courts and places, wherein the ſaid Record and Proces by Writ of Error, or otherwiſe be certified, doe appeare ſuſpicious, no Iudgement of Record ſhall be reuerſed. And the kings Iuſtices of the Courts and places, in which any Record, Proces, Suit, Plea, Warrant of Atturney, Writ, Panell, or Returne, for the time being ſhalbe, haue power to examine them, by themſelues, and their Clerkes, and to amend (in affirmance of the Iudgement of ſuch Records and Proces) all that which in their diſcretion ſeemeth to be miſpriſion of the Clerkes, in ſuch Records, proces, &c. except appeales,

Records raſed or interlined.

Indict-

Indictments of Treason and Felonie, and the Outlawries thereupon, the proper names, sirnames, and additions, omitted in Original Writs, and Writs of Exigent, according to the stat. of 1. H. 5. 5. and in other writs containing Proclamation, so that by such misprision of the Clerke, no iudgement shall be reuersed or annulled. 8. H. 6. 12.

3 And if any Record, Proces, Writ, Warrant of Atturney, Returne, or Pannell, be certified defectiue, otherwise then according to the writing, which thereof remaineth in the Treasorie, Courts, or places, from whence they be certified, the parties in affirmance of the Iudgements of such Records, and Proces, shall haue aduantage to alledge variance betwirt the same writing, and the said Certificat: And that found and certified, the same variance shall be by the said Iudges reformed and amended according to the first writing. 8. H. 6. 12. Variance betwæne the Record and Certificat.

4 If any Record, or parcell of the same, Writ, Returne, Panell, Proces, or Warrant of Atturney, in the Courts of Chauncerie, Exchequer, the one Bench, or the other, or in the Treasorie, bee willingly stolne, taken away, withdrawne, or auoyded by any Clerke, or other person, by cause wherof any Iudgement be reuersed, such stealer, taker away, withdrawer, and auoider, their procurors, counsellors and abettors, being thereof indicted, and by Proces thereupon made thereof duely conuict by their owne confession, or by enquest to be taken by lawfull men, wherof the one halfe shalbe of the men of any Court, of the same Courts, and the other half of other, shalbe adiudged for felons, and shall incurre the paine of felonie. And the Iudges of the said Courts, of the one Bench or of the other, haue power to heare, and to determine such defaults before them, and therefore to make due punishment as aforesaid. 8. H. 6. 12. S. 8. R. 2. 4. Imbesilling of Records.

5 Prouided alwayes, that if any such Record, Proces, Writ, or Warrant of Atturney, Panell, or Returne, or parcell of the same, be now, or hereafter shall bee exemplified in the Chauncerie vnder the great Seale, & such exemplification there of Record enrolled, without any rasing in the same place, in the exemplification, and the inrolment of the same: That then for any error assigned, or to bee assigned in the said Record, Proces, Writ, warrant of Atturney, Panel, or Returne, in any letter, word, clause, or matter of the same varying, or contrarie to the said exemplification and the inrolment, there shall be no Iudgement of the said Records and Proces reuersed nor annulled. 8. H. 6. 12. Record exemplified.

6 If any Iudge or Clerke do make any false entring of a plea, rase any Roll, or change any verdict, whereby any person receiueth disheritance, and hee be thereof conuict before the K. and his Counsell, he shall be punished by fine and ransome at the K. pleasure, and satisfie the partie. And for the recouerie of the inheritance, the partie shall sue by writ according to the Law. 8. R. 2. 4.

1 No Certiorare shalbe granted to remoue a Record, except it bee signed with a Iustices hand &c. S. Remouer &c. 1.

2 What imperfections in Records the Court may amend after Demurrer ioined &c. S. Demurrer 2. 3.

Recoueries, and falsifying of Recoueries.

IF any of the Kings subiects do suffer any Recoueries against them by the course of the Common law, of any manors, lordships, lands, or tenements, for the performance of their Wils, or for the iuerties of their wiues Iointures, for the Ioynture of their sons and heires apparant, and their wiues, or for any other person or persons, according to their couenants and agreements, the recouerers in al such recoueries, their heires, and all assignes, may distraine the fermors, freholders, and tenants which hold of the same Manors, by Rents, Seruices, and Customes, for the The recouerers may distraine the tenants of land recouered.

the said Rents, Seruices, and Customes, being due and vnpayed, and make auowrie, or iustifie the same, as those persons against whom the sayd Recouerie is, should haue done, if the said Recouerie had not bene had, and also haue like remedie for the recouering of the said Rents, Seruices, and Customes, by auowrie. And also shall haue Quare impedit for an Aduowson appendant to any of the said Mannors, if the same Aduowson fall void, and any disturbance be made, as those persons against whom the said Recoueries were had, might, or should haue had by the course of the Common Law before the said Recouerie, if any such Rents, Seruices, or Customes had bene denied them, or any such disturbance had bene had in their times. 7. H. 8. 4. S. Damages 8.

Quare imped'.

Recouerie of lands entailed whereof the reuersion is in the King.

2 No fained Recouerie had by assent of parties against any tenant in tayle, of any Lands, Tenements, or Hereditaments, whereof the reuersion or remainder, at the time of such Recouerie had, shall bee in the King, shall bind or conclude the heirs in tayle, whether any common voucher be had in any such fained Recouerie, or not. But after the death of euerie such tenant in tayle, against whom any such Recouerie shall bee had, the heires in tayle may enter, haue, and enioy the lands, tenements, and hereditaments so recouered, according to the forme of the gift of intaile: the said Recouerie, or any other thing to be had, done, or suffered, by or against any such Tenant in tayle, to the contrarie notwithstanding. 34. H. 8. 20.

The heire in tayle shal haue no recompēce in value.

3 The heires of euerie such tenant in taile, against whom any such fained Recouerie shalbe had, shall take no aduantage, for any recompence in value against the vouchée, nor his heirs. 34. H. 8. 20.

Leases by tenant in tayle of lands whereof the reuersion is in the K.

4 But this Act shall not bee preiudiciall to the lessée or lessées, of any such tenant in tayle made by writing indented, of any lands, tenements, or hereditamēts, for terme of yeres, three liues, or vnder, whereupon the accustomed rent and rents, or more, is or shalbe reserued yerely during the same terme and termes, but the same lessée and lessées, shall and may haue and enioy his or their terme & termes therein against the heires of euerie such tenant in taile, according to the tenor and effect of the statute made 32. H. 8. 34. H. 8. 20. S. Leases 1. 2.

Recoueries against particular tenants.

5 All Recoueries to be had or prosecuted by agreement of the parties, or by couin against any tenants by curtesie of England, tenants in taile after possibilitie of issue extinct, or otherwise onely for terme of life, or liues, or of estates determinable vpon life, or liues, of any lands, tenements, or hereditaments, whereof the same particular tenant is, or shalbe seised of any such particular estate as is aforesaid, or against any other, with voucher ouer of any such particular tenant, or of any hauing, or that had right or title to any such particular estate or tenancie, as is aforesaid, shall as against such person or persons to whom any reuersion or remainder thereof by force of any conueyance or deuice before that time had or made, shall, ought, or lawfully may appertaine, and against their heires, and successors, be vtterly voyd. 14. Eliz 8.

Recoueries vpon good titles.

6 But this Act shall not extend to any person or persons that shall by good title recouer any lands, tenements, or hereditaments, without fraud or couin, by reason of any former right or title, but all and euery such recouerie and recoueries, vpon former rights and titles, shal stand and be in like force as they were before the making of this Act. 14. Eliz. 8.

Recoueries by the assent of him in the reuersion or remainder.

7 All and euerie such recouerie and recoueries to bee had or prosecuted of any lands, tenements, or hereditaments, as is aforesaid, by the assent and agréement of any person or persons, to whom any reuersion or remainder thereof then shal or ought to appertain (so that the same assent & agréement do appeare of record in any of the K. Courts &c.) shall stand in like strength, and of like effect, against such person and persons that shall so assent and agrée, their heires and successors, as they were

were before the making of this Act. Anno 14. Eliz. 8.

8 If any perſons do make Leaſes of their lands, tenements, or other hereditaments, by Indentures, or without writings, to other perſons for terme of yeares, if after the ſame leſſors, their heires or aſſignes, doe cauſe or ſuffer recoueries to be had againſt them in the Kings, or any other Lords Court, vpon fained and vntrue title, by craft and coun, to put the ſaid termors from the termes: all ſuch termor ſhall and may falſifie for his terme onely ſuch recouerie, in ſuch wiſe and forme, as a tenant of a freehold ſhal and may doe by the courſe of the Common law, where ſuch tenant of freehold was neither priuie nor partie to the ſame recouerie. And the ſame termors, their Executors and Aſſignes notwithſtanding ſuch recouerie ſo had, ſhall enioy, retaine, and hold their ſaid termes according to their ſaid Leaſes, againſt all ſuch recouerers, their heires and aſſignes. And the ſaid recouerers, their heires and aſſignes, after ſuch recouerie ſo had, ſhall haue like remedie againſt the ſaid termors, their executors and aſſignes, by auowrie, or action of Debt, for the rents and ſeruices reſerued vpon the ſame Leaſes being due after the ſame recoueries, And alſo like actions againſt them for waſt done after the ſame recoueries ſo had, in like manner and forme, as the ſaid leſſors ſhould or might haue had, if the ſame Recoueries had neuer beene had. 21. H. 8. 15. Glouc. 6. Ed. 1. 11. Tenant for yeares may falſifie a recouerie had againſt him in the reuerſion.

9 No Statute of the Staple, Statute Marchant, nor execution by Elegit, ſhall be auoided by means of any ſuch fained recouerie, but al perſons hauing any lands, tenements, or other hereditaments in execution, or being intituled to haue execution of any lands or tenements by any ſuch meanes, ſhall haue like remedie to auoid and falſifie the ſame recouerie, as before is prouided for the leſſee for terme of yeares. 21. H. 8. 15. No ſtatute or recognizance ſhalbe auoided by any fained recouerie.

1 What Fines for alienation vpon writs of Entrie, ſued vpon common Recoueries ſhalbe paid. S. Wils 8.

2 Where a woman ſhall forfeit her eſtate, for ſuffering a fained recouerie againſt her, of land which ſhee holdeth in Dower, for life, in tayle, &c. S. Women 1. 2. 3. 4.

3 For Recoueries and deeds inrolled in Corporat Townes. S. Women 5.

4 That ſuch things whereupon Recoueries are to be ſuffered may be inrolled. S. Fines 22. 31. &c.

5 For ſuffering of recoueries of lands in Wales, and the kings fine for the ſame. S. Wales 21. 22.

Recuſants.

ALl and euerie perſon and perſons inhabiting within this Realme, or any other the Quenes Dominions, ſhall diligently and faithfully, hauing no lawfull or reaſonable excuſe to be abſent, endeuor themſelues to reſort to their Pariſh Church or Chappel accuſtomed, or vpon reaſonable let thereof to ſome vſuall place where Common Prayer and ſuch ſeruice of God ſhalbe vſed in ſuch time of let vpon euerie Sunday, and other dayes ordained, and vſed to be kept as Holy dayes, and then and there to abide orderly and ſoberly, during the time of the Common Prayer, Preaching, or other ſeruice of God, there to be vſed and miniſtred, vpon paine of puniſhment by the cenſures of the Church, and alſo vpon paine that euerie perſon ſo offending, ſhall forfeit for euerie ſuch offence xij. s. to be leuied by the Churchwardens of the Pariſh where ſuch offence ſhall bee done, to the vſe of the poore of the ſame pariſh, of the goods, lands, and tenements of ſuch offendor by way of diſtreſſe. 1. Eliz. 2. Euerie perſon aboue the age of xvj. yeares, which ſhall not repaire Euery perſon ſhall reſort to the Church. S. Br. 50.

repaire to ſome Church, Chappell, or vſual place of Common Prayer, but forbeare the ſame, contrarie to the tenor of a Statute made in the firſt yeare of her Maieſties raigne, for vniformitie of Common Prayer, and being thereof lawfully conuicted, ſhall forfeit to the Quéene, for euerie moneth which he or ſhée ſhall ſo forbeare, twentie pounds. And ouer and beſides the ſaid forfeitures, euerie perſon ſo forbearing by the ſpace of twelue monethes as aforeſaid, ſhall for his or their obſtinacie (after certificat thereof in writing made into the K. Bench, by the Ordinarie of the Dioces, a Juſtice of Aſſiſe and Gaole deliuery, or a Juſt. of peace of the countie where ſuch offender ſhall dwell or be) be bound with two ſufficient ſuerties, in the ſumme of CC. l. at the leaſt, to the good behauior, and ſo to continue bound, vntill ſuch time as the perſons ſo bound doe conforme themſelues, and come to the Church, according to the true meaning of the ſaid Stat. made in the 1. yeare of the Q. raigne. 23. El. 1. S. Br. 44.

Schoolmaſter

2 If any perſon or perſons, bodies Politique and Corporat, ſhal kéepe or maintaine any Schoolemaſter, which ſhall not repaire to Church, as is aforeſaid, or bée allowed by the Biſhop or Ordinarie of the Dioceſſe where ſuch Schoolemaſter ſhall bée ſo kept, hée ſhall forfeit for euerie moneth ſo kéeping him tenne pounds. (Prouided, that no ſuch Ordinarie, or their Miniſter, ſhall take any thing for the ſayd allowance) And ſuch Schoolemaſter or Teacher, preſuming to teach contrarie to this Act, and being thereof lawfully conuicted, ſhall bée diſabled to bée a Teacher of youth, and ſhall ſuffer impriſonment, without bayle or mainepriſe, for one yeare. 23. Eliz. 1. No perſon ſhall kéepe any Schoole, or bée a Schoolemaſter out of any the Vniuerſities or Colledges of this Realme, except it bée in ſome publike or free Grammer Schoole: Or in ſuch Noble mans, or Noble womans, or Gentlemans or Gentlewomans houſe, as are not Recuſants: Or where the ſame ſchoolmaſter ſhall be ſpecially licenced thereunto by the Archbiſhop, Biſhop, or Guardian of Spiritualties of that Dioceſſe, vpon paine that as wel the Schoolemaſter, as alſo the partie that ſhall retaine, or maintaine any ſuch Schoolemaſter, contrarie to the true meaning of this Act, ſhall forfeit each of them, for euerie day ſo wittingly offending, xl. s. The one moitie thereof to the King, his heires and ſucceſſors, the other to him or them that will ſue for the ſame in any of the Kings Courts of Record at Weſtminſter, by A. of Debt, B. P. or I. wherein no E. P. W. &c. 1. Iac. 4.

Seruice in a mans priuat houſe.

3 Euerie perſon, which vſually on the Sunday, ſhall haue in his or her houſe, the diuine ſeruice which is eſtabliſhed by the Law in this Realme, and bee thereat himſelfe, or her ſelfe, vſually or moſt commonly preſent, and ſhall not obſtinatly refuſe to come to Church, and there to do as is aforeſaid, And ſhall alſo foure times in the yere at the leaſt be preſent at the diuine ſeruice, in the Church of the Pariſh, where he or ſhe ſhalbe reſident, or in ſome other open common church, or ſuch chappell of eaſe, ſhall not incurre any paine or penaltie limited by this Act, for not repairing to the Church. 23. El. 1.

To what vſe the forf. ſhalbe imployed.

4 All forfeitures of any ſummes of money limited by this Act, ſhall bee diuided in thrée equall parts, whereof one third part ſhall be to the Quéene to her own vſe, one other third part to the Quéene, for reliefe of the poore in the Pariſh where the offence ſhall be committed, to bee deliuered by warrant of the principall officers in the Receit of the Exchequer, without further warrant from her Maieſtie, and the other third part to ſuch perſons as will ſue for the ſame, in any Court of Record, by Action, B. P. or I. in which Suit no E. P. or W. ſhall bée allowed. And euerie perſon which ſhall forfeit any Summes of Money by vertue of this Act, and ſhall not bée able, or ſhall fayle to pay the ſame within thrée Monethes after

Impriſonmẽt

Judgement thereof giuen, ſhall bée committed to priſon, there to remaine vntill he hath

hath paid the ſaid ſummes, or conformed himſelfe to go to the Church, and there do as is aforeſaid. 23. Eliz. 1.

5 Euerie Graunt, Conueyance, Bond, Iudgement, and Execution, had, or made, ſithence the beginning of this Seſſion of Parliament, or hereafter to bee had, or made, of couenous purpoſe to defraud any intereſt, right, or title, that may or ought to grow to the Quéene, or to any other perſon by meane of any conuiction, or iudgement, by vertue of this Statute, or of the Statute of 13. Elizabeth. 2. ſhall bee, and bee iudged to bee vtterly void againſt the Quéene, and againſt ſuch as ſhall ſue for any part of the ſaid penalties in forme aforeſaid. 23. Elizab. 2.

Couenous conueyances to defraud forf.

Sée Rome 2. &c.

6 Euerie perſon guiltie of any offence againſt this Statute, other then Treaſon, and Miſpriſion of Treaſon, which ſhall before he bee thereof indicted, or at his arraignement, or triall before Iudgement, ſubmit and conforme himſelfe before the Biſhop of the Dioces, where hee ſhalbe reſident, or before the Iuſtices where he ſhall be indicted, arraigned, or tried (hauing not before made like ſubmiſſion at any his triall, being indicted for his firſt like offence) ſhall vpon his recognition of ſuch ſubmiſſion in open Aſſiſes or Seſſions of the Countie, where ſuch perſon ſhall bee reſident, bee diſcharged of all and euerie the ſaid offences againſt this Act (except Treaſon and Miſpriſion of Treaſon) and of all paines and forfeitures for the ſame. 23. Eliz. 1.

A guiltie perſon cõforming himſelfe.

S. Rome 7. 8.

7 Prouided, that neither this Act, nor any thing therein contained, ſhall extend to take away or abridge the authoritie or iuriſdiction of the Eccleſiaſticall cenſures for any cauſe or matter, But that the Archbiſhops and Biſhops, and other Eccleſiaſticall Iudges may do and proceed, as before the making of this Act, they lawfully did, or might haue done: Any thing in this Act to the contrarie notwithſtanding. 23. Eliz. 1.

Eccleſiaſticall cenſures.

8 Euerie Feoffement, Gift, Graunt, Conueyance, Alienation, Eſtate, Leaſe, Incumbrance, and Limitation of vſe, of, or out of any lands, tenements, or hereditaments whatſoeuer, had, or made at any time ſince the beginning of the Q. Maieſties raigne, or at any time hereafter to bee had, or made, by any perſon which hath not repaired, or ſhall not repaire to ſome Church, Chappell, or vſuall place of Common Prayer, but hath forborne, or ſhall forbeare the ſame, contrarie to the tenor of the ſaid Statute of (Anno 23. Elizab. 1.) and which is or ſhall bee reuocable at the pleaſure of ſuch offendor, or in any wiſe directly or indirectly meant, or intended, to, or for the behoſe, releiſe, or maintenance, or at the diſpoſition of any ſuch offendor, or wherewith, or whereby, or in conſideration whereof, ſuch offendor or his familie ſhall bee maintained, relieued, or kept, ſhall bee deemed and taken to bee vtterly voyd and fruſtrate, as againſt the Quéenes Maieſtie, for, or concerning the leuying and paying of ſuch Summes of Money, as any ſuch perſon, by the Lawes or Statutes of the Realme alreadie made, ought to pay or forfeit for not comming or repairing to any Church, Chappell, or vſuall place of Common Prayer, or for ſaying, hearing, or béeing at any Maſſe, and ſhall alſo be ſeiſed and had, to and for her Maieſties vſe and behoſe, as hereafter in this Act is mentioned: Any Pretence, Colour, Fained conſideration, or erpelling of any vſe, to the contrarie notwithſtanding. 29. Elizabeth. 6.

Certain aſſurances void againſt the Quéene.

9 Euerie conuiction hereafter for any offence before mentioned, ſhall be in the Court commonly called the Kings Bench, or at the Aſſiſes, or generall Gaole deliuerie, and not elſewhere, and ſhall from the Iuſtices before whom the Record of ſuch conuiction ſhall remaine, be eſtreated and certified into the Court of Erchequer, before the end of the Terme next enſuing after euerie ſuch conuiction, in ſuch conuenient certainetie, as the Court of Erchequer may thereupon award out

Conuictions in the Kings Bench or gaols deliuerie.

Proces

pꝛoces foꝛ ſeiſure of the lands and goods of euery ſuch offendoꝛ as hath not paid their foꝛfeitures, accoꝛding to the Lawes and Statutes in ſuch caſes pꝛouided. 29. Eliz. 6. S.Br. 43.

At what time the money foꝛfeited ſhalbe paid.

10 Euerie ſuch offendoꝛ in not repairing to diuine ſeruice, but foꝛbearing the ſame contrarie to the ſaid Statute of An. 23. El. 1. as hath bæne heretofoꝛe conuicted of ſuch offence, and hath not made ſubmiſſion, and bæne confoꝛmable, accoꝛding to the true meaning of the ſaid Statute, ſhall without any other Indictment oꝛ conuiction, pay into the receit of the ſaid Exchequer, all ſuch ſummes of money, as, accoꝛding to the rate of xx. l. foꝛ euerie moneth ſince the ſame conuiction, doe yet remaine vnpaid, in foꝛme as hereafter enſueth: That is to ſay, the one moitie therof beſoꝛe the end of the nert Trinitie Terme, and the other moitie therof beſoꝛe the end of the nert Hillary Terme, oꝛ at any ſuch other times, as by the L. Treaſurer, Chauncelloꝛ, and chiefe Baron of the Exchequer, oꝛ any two of them, ſhal by compoſition vpon good bond and ſuertie taken, be limited, beſoꝛe the end of the ſaid nert Trinitie Terme, if any ſuch compoſition ſhall happen to be. And ſhall alſo in euerie Eaſter and Michaelmas Terme, vntill ſuch time as the ſame perſon do make ſubmiſſion, and be confoꝛmable, accoꝛding to the true meaning of the ſaid ſtatute, pay into the ſaid receit of the Exchequer, xx. l. foꝛ euerie moneth, which ſhall incurre in all that meane time. 29. El. 6. S.Br. 43.

£ £. l. a month after conuictiō without further indictmēt

11 Euerie ſuch offendoꝛ, in not repairing to diuine Seruice, but foꝛbearing the ſame, contrarie to the ſaid Statute, as hereafter ſhall foꝛtune to be therof once conuicted, ſhall in ſuch of the Termes of Eaſter and Michaelmas, as ſhall be nert after ſuch conuiction, pay into the ſaid receit of Exchequer, after the rate of xx. l. foꝛ euerie moneth, which ſhalbe contained in the Indictment, whereupon ſuch conuiction ſhalbe, And ſhall alſo foꝛ euerie moneth after ſuch conuiction without any other indictment oꝛ conuiction, pay into the receit of the Exchequer afoꝛeſaid, at y. times in the yere, that is to ſay, in euerie Eaſter Terme, and Michaelmas Terme, as much as then ſhall remaine vnpaid, after the rate of xx. l. foꝛ euerie moneth after ſuch conuiction: And if default ſhall be made in any part of any paiment afoꝛeſaid, contrarie to the foꝛme herein beſoꝛe limited, Then and ſo often the Qu. Maieſtie ſhal and may by Pꝛoces out of the ſaid Exchequer, take ſeiſe, and enioy all the goods, and two parts as well of all the lands, tenements, and hereditaments, leaſes and farmes of ſuch offendoꝛ, as of all other the lands, tenements, and hereditaments, liable to ſuch ſeiſure, oꝛ to the penalties afoꝛeſaid, by the true meaning of this Act, leauing the third part only of the ſame lands, tenements, and hereditaments, leaſes and farms, to and foꝛ the maintenance and relief of the ſame offendoꝛ, his wife, childꝛen, and familie. 29. El. 6. S.Br. 44.

All the goods, & two parts of the lands and leaſes of him which payeth not xx. l. a moneth.

The Indictment not mentioning that the partie is inhabiting within the Realme.

12 The Indictment of euerie ſuch offendoꝛ, mentioning the not comming of ſuch offendoꝛ to the Church of the pariſh, where ſuch perſon at any time beſoꝛe ſuch Indictment was, oꝛ did kæpe houſe oꝛ reſidence, noꝛ to any other Church, Chappel, oꝛ vſuall place of Common Pꝛayer, ſhalbe ſufficient in the Law. And it ſhall not be nedfull to mention in any ſuch Indictment, that the partie offendoꝛ was oꝛ is inhabiting within this Realme of England, oꝛ any other the Qu. Dominions: But if it ſhall happen any ſuch offendoꝛ then not to be within this Realme, oꝛ other her Maieſties Dominions, in ſuch caſe the partie ſhalbe relieued by plea, to be put in in that behalfe, and not otherwiſe. 29. Eliz. 6.

Reliefe to the indicted, not being within the Realme.

A proclamation that the partie indicted ſhall yeld his bodie to the Sherife.

13 And vpon the Indictment of ſuch offendoꝛ, a Pꝛoclamation ſhall bæ made at the ſame Aſſiſes oꝛ Gaole Deliuerie, in which the Indictment ſhall bæ taken (if the ſame be taken at any Aſſiſe oꝛ Gaole deliuerie) by which it ſhalbe commanded, that the bodie of ſuch offendoꝛ ſhalbe rendꝛed to the Sherife of the ſame Countie, beſoꝛe the ſaid nert Aſſiſes oꝛ generall Gaole Deliuerie to bee holden in the ſame Countie. And if at the ſaid nert Aſſiſes oꝛ Gaole Deliuerie, the ſame offendoꝛ ſo

pꝛo-

proclaimed, ſhal not make apparance of record, then vpon ſuch default recorded, the ſame ſhall be as ſufficient conuiction in Law of the ſaid offence, whereof the partie ſo ſtandeth indicted, as is aforeſaid, as if vpon the ſame indictment, a triall by verdict thereupon had proceeded & bin recorded. 29. Eliz. 6. S. Br. 42.

14 Prouided alwaies, that whenſoeuer any ſuch offendor, as is aforeſaid, ſhall make ſubmiſſion, and become conformable, according to the forme limitted by the ſaid Statute made (Anno 23. Eliz. 1.) or ſhall fortune to die, that then no forfeiture of xx. l. for any moneth, or ſeiſure of the lands of the ſame offendor, from and after ſuch ſubmiſſion and conformitie, or death, and full ſatisfaction of all the arrerages of xx. l. monethly before ſuch ſeiſure due, or payable, ſhall enſue, or be continued againſt ſuch offendor, ſo long as the ſame perſon ſhall continue in comming to diuine Seruice, according to the intent of the ſaid Statute. 29. Eliz. 6. *The offendor ſubmitting, or dying.*

15 It ſhall and may be lawfull to and for the Lord Treaſurer of England, Chauncellor, & chiefe Baron of the Exchequer for the time being, or two of them, to aſſigne and diſpoſe of the full third part of the xx. l. for euery moneth, paied, or to be paied into the receit of the Exchequer, as is aforeſaid, for the reliefe and maintenance as well of the poore, and of the houſes of correction, as of impotent and maimed ſouldiers, as the ſame Lord Treaſurer, Chauncellor, and chiefe Baron, or any two of them, ſhall order or appoint. Any thing in the ſaid Statute made Anno 23. Eliz. 1. mentioned to the contrary, in any wiſe notwithſtanding. 29. Eliz. 6. Sec 4. *The third part of the forfeiture aſſigned to the poore.*

16 Prouided alwaies, that this Act, or any thing therein contained, ſhall not in any wiſe extend or be conſtrued to make void or impeach any Graunt or Leaſe heretofore made bona fide, without fraud or couine, whereupon any yearely rent or payment is reſerued or payable, or any Graunt or Leaſe hereafter to be made bona fide, without fraud or couin, whereupon the accuſtomed yerely rent or more ſhall be reſerued, or any other conueyance, aſſurance, or aſſignement, whatſoeuer heretofore made bona fide, vpon good conſideration, and without fraud or couin, which is not, or ſhall not be reuocable at the pleaſure of ſuch offendor, otherwiſe then to giue benefit or title to her Maieſty, her heires & ſucceſſors, to haue, perceiue, and enioy ſuch rents & payments, during the continuance of ſuch leaſe or graunt, according to the true meaning of this Act. 29. El. 6. *Aſſurances made bona fide, not impeached.*

17 This Act ſhall not in any wiſe extend, or be conſtrued to continue any ſeiſure of any lands or tenements of ſuch offendor in her Maieſties hands, or in the hands of her heires or ſucceſſors, after the ſaid offendors death, which lands or tenements he ſhall haue or be ſeiſed of, onely for terme of his life, or in the right of his wife: Any thing in this Act &c. 29. Eliz. 6. *Seiſure of lands wherin the offendor hath eſtate but for life.*

18 If any perſon or perſons aboue the age of xvj. yeres, which ſhall obſtinately refuſe to repaire to ſome Church, Chappell, or vſuall place of Common Prayer, to heare diuine Seruice, eſtabliſhed by her Maieſties Lawes & Statutes in that behalfe made, and ſhall forbeare to doe the ſame by the ſpace of a moneth next after, without lawfull cauſe, ſhall at any time after 40. daies next after the end of this Seſſion of Parliament, (being 10. Aprilis, Anno Dom. 1593.) by printing, writing, or erpreſſe words or ſpeeches, aduiſedly, and purpoſely practiſe, or goe about to moue or perſwade any of her Maieſties ſubiects, or any other within her Highneſſe Realmes, or Dominions, to denie, withſtand, and impugne her Maieſties power and authoritie, in cauſes Eccleſiaſticall, vnited and annexed to the imperiall Crowne of this Realme, or to that end or purpoſe, ſhall aduiſedly and maliciouſly moue or perſwade any other perſon whatſoeuer, to forbeare or abſtaine from comming to Church, to heare diuine ſeruice, or to receiue the Communion, according to her Maieſties Lawes and Statutes aforeſaid, or to come *A Recuſant perſwading other to impugne the Eccleſiaſticall lawes.*

pꝛoces foꝛ ſeiſure of the lands and goods of euery ſuch offendoꝛ as hath not paid their foꝛfeitures, accoꝛding to the Lawes and Statutes in ſuch caſes pꝛouided. 29. Eliz. 6. S.Br. 43.

At what time the money foꝛfeited ſhalbe paid.

10 Euerie ſuch offendoꝛ in not repairing to diuine ſeruice, but foꝛbearing the ſame contrarie to the ſaid Statute of An. 23. El. 1. as hath bæne heretofoꝛe conuicted of ſuch offence, and hath not made ſubmiſſion, and bæne confoꝛmable, accoꝛding to the true meaning of the ſaid Statute, ſhall without any other Indictment oꝛ conuiction, pay into the receit of the ſaid Exchequer, all ſuch ſummes of money, as, accoꝛding to the rate of xx. l. foꝛ euerie moneth ſince the ſame conuiction, doe yet remaine vnpaid, in foꝛme as hereafter enſueth: That is to ſay, the one moitie therof beſoꝛe the end of the next Trinitie Terme, and the other moitie therof beſoꝛe the end of the nert Hillary Terme, oꝛ at any ſuch other times, as by the L. Treaſurer, Chauncelloꝛ, and chiefe Baron of the Exchequer, oꝛ any two of them, ſhal by compoſition vpon good bond and ſuertie taken, be limited, beſoꝛe the end of the ſaid nert Trinitie Terme, if any ſuch compoſition ſhall happen to be. And ſhall alſo in euerie Eaſter and Michaelmas Terme, vntill ſuch time as the ſame perſon do make ſubmiſſion, and be conſoꝛmable, accoꝛding to the true meaning of the ſaid ſtatute, pay into the ſaid receit of the Exchequer, xx. l. foꝛ euerie moneth, which ſhall incurre in all that meane time. 29. El. 6. S.Br. 43.

£ £. l. a month after conuictiõ without further indictmẽt

11 Euerie ſuch offendoꝛ, in not repairing to diuine Seruice, but foꝛbearing the ſame, contrarie to the ſaid Statute, as hereafter ſhall foꝛtune to be therof once conuicted, ſhall in ſuch of the Termes of Eaſter and Michaelmas, as ſhall be nert after ſuch conuiction, pay into the ſaid receit of Exchequer, after the rate of xx. l. foꝛ euerie moneth, which ſhalbe contained in the Indictment, whereupon ſuch conuiction ſhalbe, And ſhall alſo foꝛ euerie moneth after ſuch conuiction without any other indictment oꝛ conuiction, pay into the receit of the Exchequer aſoꝛeſaid, at y. times in the yere, that is to ſay, in euerie Eaſter Terme, and Michaelmas Terme, as much as then ſhall remaine vnpaid, after the rate of xx. l. foꝛ euerie moneth after ſuch conuiction: And if default ſhall be made in any part of any paiment aſoꝛeſaid, contrarie to the foꝛme herein beſoꝛe limited, Then and ſo often the Mu. Maieſtie ſhal and may by Pꝛoces out of the ſaid Exchequer, take ſeiſe, and enioy all the goods, and two parts as well of all the lands, tenements, and hereditaments, leaſes and farmes of ſuch offendoꝛ, as of all other the lands, tenements, and hereditaments, liable to ſuch ſeiſure, oꝛ to the penalties aſoꝛeſaid, by the true meaning of this Act, leauing the third part only of the ſame lands, tenements, and hereditaments, leaſes and farms, to and foꝛ the maintenance and relief of the ſame offendoꝛ, his wife, childꝛen, and familie. 29. El. 6. S.Br. 44.

All the goods, & two parts of the lands and leaſes of him which payeth not xx. l. a moneth.

The Indictment not mentioning that the partie is inhabiting within the Realme.

12 The Indictment of euerie ſuch offendoꝛ, mentioning the not comming of ſuch offendoꝛ to the Church of the pariſh, where ſuch perſon at any time beſoꝛe ſuch Indictment was, oꝛ did kæpe houſe oꝛ reſidence, noꝛ to any other Church, Chappel, oꝛ vſuall place of Common Pꝛayer, ſhalbe ſufficient in the Law. And it ſhall not be nædfull to mention in any ſuch Indictment, that the partie offendoꝛ was oꝛ is inhabiting within this Realme of England, oꝛ any other the Mu. Dominions: But if it ſhall happen any ſuch offendoꝛ then not to be within this Realme, oꝛ other her Maieſties Dominions, in ſuch caſe the partie ſhalbe relieued by plea, to be put in in that behalfe, and not otherwiſe. 29. Eliz. 6.

Reliefe to the indicted, not being within the Realme.

A pꝛoclamation that the partie indicted ſhall yeld his bodie to the Sherife.

13 And vpon the Indictment of ſuch offendoꝛ, a Pꝛoclamation ſhall bee made at the ſame Aſſiſes oꝛ Gaole Deliuerie, in which the Indictment ſhall bee taken (if the ſame be taken at any Aſſiſe oꝛ Gaole deliuerie) by which it ſhalbe commanded, that the bodie of ſuch offendoꝛ ſhalbe rendꝛed to the Sherife of the ſame Countie, beſoꝛe the ſaid nert Aſſiſes oꝛ generall Gaole Deliuerie to bee holden in the ſame Countie. And if at the ſaid next Aſſiſes oꝛ Gaole Deliuerie, the ſame offendoꝛ ſo

pꝛo-

proclaimed, ſhal not make apparance of record, then vpon ſuch default recorded, the ſame ſhall be as ſufficient conuiction in Law of the ſaid offence, whereof the partie ſo ſtandeth indicted, as is aforeſaid, as if vpon the ſame indictment, a triall by verdict thereupon had proceeded & bin recorded. 29. Eliz. 6. S. Br. 42.

14 Prouided alwaies, that whenſoeuer any ſuch offendor, as is aforeſaid, ſhall make ſubmiſſion, and become conformable, according to the forme limitted by the ſaid Statute made (Anno 23. Eliz. 1.) or ſhall fortune to die, that then no forfeiture of xx. l. for any moneth, or ſeiſure of the lands of the ſame offendor, from and after ſuch ſubmiſſion and conformitie, or death, and full ſatisfaction of all the arrerages of xx. l. monethly before ſuch ſeiſure due, or payable, ſhall enſue, or be continued againſt ſuch offendor, ſo long as the ſame perſon ſhall continue in comming to diuine Seruice, according to the intent of the ſaid Statute. 29. Eliz. 6. *The offendor ſubmitting, or dying.*

15 It ſhall and may be lawfull to and for the Lord Treaſurer of England, Chauncellor, & chiefe Baron of the Exchequer for the time being, or two of them, To aſſigne and diſpoſe of the full third part of the xx. l. for euery moneth, paied, or to be paied into the receit of the Exchequer, as is aforeſaid, for the reliefe and maintenance as well of the poore, and of the houſes of correction, as of impotent and maimed ſouldiers, as the ſame Lord Treaſurer, Chauncellor, and chiefe Baron, or any two of them, ſhall order or appoint. Any thing in the ſaid Statute made Anno 23. Eliz. 1. mentioned to the contrary, in any wiſe notwithſtanding. 29. Eliz. 6. See 4. *The third part of the forfeiture aſſigned to the poore.*

16 Prouided alwaies, that this Act, or any thing therein contained, ſhall not in any wiſe extend or be conſtrued to make void or impeach any Graunt or Leaſe heretofore made bona fide, without fraud or couine, whereupon any yearely rent or payment is reſerued or payable, or any Graunt or Leaſe hereafter to be made bona fide, without fraud or couin, whereupon the accuſtomed yerely rent or more ſhall be reſerued, or any other conueyance, aſſurance, or aſſignement, whatſoeuer heretofore made bona fide, vpon good conſideration, and without fraud or couin, which is not, or ſhall not be reuocable at the pleaſure of ſuch offendor, otherwiſe then to giue benefit or title to her Maieſty, her heires & ſucceſſors, to haue, perceiue, and enioy ſuch rents & payments, during the continuance of ſuch leaſe or graunt, according to the true meaning of this Act. 29. El. 6. *Aſſurances made bona fide, not impeached.*

17 This Act ſhall not in any wiſe extend, or be conſtrued to continue any ſeiſure of any lands or tenements of ſuch offendor in her Maieſties hands, or in the hands of her heires or ſucceſſors, after the ſaid offendors death, which lands or tenements he ſhall haue or be ſeiſed of, onely for terme of his life, or in the right of his wife: Any thing in this Act &c. 29. Eliz. 6. *Seiſure of lands wherin the offendor hath eſtate but for life.*

18 If any perſon or perſons aboue the age of xvj. yeres, which ſhall obſtinately refuſe to repaire to ſome Church, Chappell, or vſuall place of Common Prayer, to heare diuine Seruice, eſtabliſhed by her Maieſties Lawes & Statutes in that behalfe made, and ſhall forbeare to doe the ſame by the ſpace of a moneth next after, without lawfull cauſe, Shall at any time after 40. daies next after the end of this Seſſion of Parliament, (being 10. Aprilis, Anno Dom. 1593.) by printing, writing, or erpreſſe words or ſpeeches, aduiſedly, and purpoſely practiſe, or goe about to moue or perſwade any of her Maieſties ſubiects, or any other within her Highneſſe Realmes, or Dominions, to denie, withſtand, and impugne her Maieſties power and authoritie, in cauſes Eccleſiaſticall, vnited and annexed to the imperiall Crowne of this Realme, or to that end or purpoſe, ſhall aduiſedly and maliciouſly moue or perſwade any other perſon whatſoeuer, to forbeare or abſtaine from comming to Church, to heare diuine ſeruice, or to receiue the Communion, according to her Maieſties Lawes and Statutes aforeſaid, or to come *A Recuſant perſwading other to impugne the Eccleſiaſticall lawes.*

to, or to be preſent at any vnlawful aſſemblies, conuenticles, or meetings, vnder colour or pretence of any exerciſe of Religion, contrarie to her Maieſties ſaid Lawes and Statutes: or if any perſon or perſons which ſhall obſtinately refuſe to repaire to ſome Church, Chappell, or vſuall place of Common Prayer, and ſhall forbeare by the ſpace of a moneth to heare diuine ſeruice, as is aforeſaid, ſhall after the ſaid fortie daies, either of him, or themſelues, or by the motion, perſuaſion, inticement, or allurement of any other, willingly ioyne in, or be preſent at any ſuch aſſemblies, conuenticles, or meetings, vnder colour or pretence of any ſuch exerciſe of religion, contrarie to the Lawes and Statutes of this Realme, as is aforeſaid: Then euery ſuch perſon ſo offending, as aforeſaid, and being thereof lawfully conuicted, ſhall be committed to priſon, there to remaine, without bayle or mainprize, vntil they ſhal conforme and yeeld themſelues to come to ſome Church, Chappell, or vſuall place of Common Prayer, and heare diuine ſeruice, according to her Maieſties Lawes and Statuts aforeſaid, and to make ſuch open ſubmiſſion and declaration of their ſaid conformity, as hereafter in this Act is declared and appointed. 35. Eliz. 1.

In offendor not cõforming himſelfe, ſhall abiure the Realme.

19 If any ſuch perſon or perſons, which ſhall offend againſt this Act, as aforeſaid, ſhall not within three moneths next after they ſhall be conuicted for their ſaid offence, conforme themſelues to the obedience of the Lawes and Statutes of this Realme, in comming to the Church to heare diuine Seruice, and in making ſuch publicke confeſſion and ſubmiſſion, as hereafter in this Act is appointed and expreſſed, being thereunto required by the Biſhop of the Dioceſſe, or any Iuſtice of the Peace in the Countie where the ſame perſon ſhall happen to be, or by the Miniſter or Curate of the Parith: In euery ſuch caſe, euerie ſuch offendor being thereunto warned or required by any Iuſtice of the Peace of the ſame Countie, where ſuch offendors ſhall then be, ſhall vpon his or their corporall oath, bofore the Iuſtices of the Peace in the open Quarter Seſſions of the ſame Countie, or at the Aſſiſes and Gaole Deliuerie, of the ſame Countie, before the Iuſtices of the ſame Aſſiſes and Gaole Deliuerie, Abiure this Realme of England, and all other the Quenes Maieſties dominions for euer, vnleſſe her Maieſtie ſhall licence the partie to returne, And thereupon ſhall depart out of this Realme, at ſuch Hauen or Port, and within ſuch time, as ſhall in that behalfe be aſſigned and appointed by the ſaid Iuſtices, before whom ſuch Abiuration ſhall be made, vnleſſe the ſame offendor be letted or ſtayed by ſuch lawfull and reaſonable meanes or cauſes, as by the common Lawes of this Realme are permitted and allowed in caſes of Abiuration for Felonie. And in ſuch caſes of let or ſtay, then within ſuch reaſonable and conuenient time after, as the Common Law requireth, in caſe of Abiuration for Felonie, as is aforeſaid. And the Iuſtices of peace, before whom any ſuch Abiuration ſhall happen to be made, as is aforeſaid, ſhall cauſe the ſame preſently to be entred of Record before them, and ſhall certifie the ſame to the Iuſtices of Aſſiſes and Gaole Deliuerie of the ſaid Countie at the nert Aſſiſes or Gaole Deliuerie to be holden in the ſame Countie: And if any ſuch offendor, which by the tenour and intent of this Act, is to be Abiured, as is aforeſaid, ſhall refuſe to make ſuch Abiuration, as is aforeſaid, or after ſuch Abiuration made, ſhall not goe to ſuch Hauen, and within ſuch time, as is before appointed, and from thence depart out of this Realme, according to this preſent Act, or after ſuch his departure, ſhall returne, or come againe into any her Maieſties Realms or Dominions, without her Maieſties ſpeciall licence in that behalfe firſt had and obtained: Then in euery ſuch caſe the perſon ſo offending, ſhall be adiudged a Felon, and ſuffer as in caſe of Felonie, without benefit of Clergie. 35. Elizabeth. 1.

Abiure the Realme.

Refuſing to abiure, not departing or returning without licence.

S. Felonie. 5.

Open ſubmiſſion.

20 If any perſon or perſons, that ſhall at any time hereafter offend againſt this

this Act, shall before he or they be so warned, or required to make Abiuration, according to the tenor of this Act, repaire to some Parish Church, on some Sunday, or other Feastiuall day, and then and there heare diuine Seruice, and at Seruice time before the Sermon, or reading of the Gospell, make publike and open submission and declaration of his and their conformitie to her Maiesties Lawes and Statutes, as hereafter in this Act is declared and appointed: Then the same offendor shall thereupon be clearely discharged, of, and from all and euery the penalties and punishments, inflicted or imposed by this Act, for any of the offences aforesaid. The same Submission to be made as hereafter followeth: that is to say, I A. B. doe humbly confesse, and acknowledge that I haue grieuously offended God, in contemning her Maiesties godly and lawfull gouernment and authoritie, by absenting my selfe from Church, and from hearing diuine seruice, contrarie, to the godly Lawes and Statutes of this Realme, and in vsing & frequenting disordered and vnlawfull conuenticles and assemblies, vnder pretence & colour of exercise of Religion: And I am hartily sorrie for the same, and doe acknowledge and testifie in my conscience, that none other person hath, or ought to haue any power or authority ouer her Maiestie: And I do promise and protest, without any dissimulation, or any colour or meanes of any dispensation, that from henceforth I will from time to time obey and performe her Maiesties Lawes and Statutes, in repairing to the Church, and hearing Diuine Seruice, and to mine vttermost indeuour to maintaine and defend the same. And euery Minister or Curate of euery Parish where such submission and declaration of conformitie shall hereafter be so made, by any such offendor as is aforesaid, shall presently enter the same into a Booke, to be kept in euery Parish for that purpose: And within tenne daies next following, shall certifie the same in writing to the Bishop of the dioces. 35. Eliz. 1.

The fourme of the submission.

The submission entred into a booke.

21 Prouided neuertheless, that if any such offendor, after such submission made, as is aforesaid, shall afterwards fall into relapse, or eftsoones obstinately refuse to repaire to some Church, Chappell, or vsuall place of Common Prayer, to heare diuine seruice, and shall forbeare the same, as is aforesaid, or shal come or be present at any such assemblies, conuenticles, or mætings, vnder colour or pretence of any exercise of Religion, contrary to her Maiesties Lawes & Statutes: Then euery such offendor shall lose all such benefit, as he or she might otherwise by vertue of this Act haue or enioy, by reason of their said submission, and shall thereupon stand and remaine in such plight, condition, and degrée, to all intents, as though such Submission had neuer bin made. 35. Eliz. 1.

The offendor in relapse.

22 All and euery the paines, duties, forfeitures, and payments, which at any time hereafter shall accrue, grow, or be payable by vertue of this Act, or of the Statute made Anno 23. Eliz. concerning Recusants, shall and may be recouered and leuied to her Maiesties vse by Action of debt, Bill, Plaint, Information, or otherwise, in any of the Courts commonly called the K. Bench, Common plees, or Exchequer, in such sort, and in all respects, as by the ordinary course of the Common Lawes of this Realme, any other debt due by any such person, in any other case, should or may be recouered, or leuied, wherein no E. P. or W. shall be admitted or allowed. 35. Eliz. 1.

How, & where the forfaitures shal be recouered.

23 Prouided alwaies, that the third part of the penalties to be had or receiued by vertue of this Act, shall be imployed and bestowed to such good & charitable vses, and in such manner and forme as is limitted and appointed in the stat. made An 28. Eliz. touching Recusants. 35 El. 1. S. 15.

The third part of the penalties imployed.

24 Prouided, that no Popish Recusant, or Feme couert, shall be compelled or bound to Abiure, by vertue of this Act. 35. El. 1.

Popish Recusant, feme couert.

25 Prouided also, that euery person that shall abiure by force of this Act, or

The forfeiture of him which abiureth, or refuſeth to abiure.

refuſe to abiure, being thereunto required, as aforeſaid, ſhall forfeit and loſe to her Maieſtie all his goods and chattels for euer: And ſhall further loſe all his Lands, Tenements, and Hereditaments, for, and during the life only of ſuch offendor, and no longer. And the wife of any offendor by force of this Act, ſhall not loſe her dower: Nor any corruption of bloud ſhall grow, or be by reaſon of any offence mentioned in this Act: But that the heire of euery ſuch offendor by force of this Act, ſhall and may after the death of euery offendor haue & enioy the lands, tenements, and hereditaments of ſuch offendor, as if this Act had not bin made. 35. El. 1. 1. Iac. 25. This Act ſhall continue vntill the end of the firſt Seſſion of the nert Parliament.

A conuicted Popiſh Recuſant muſt repaire to his houſe, and not remoue aboue 5. myles.

26 Euery perſon aboue the age of xvj. yeares, borne within any the Quænes Maieſties Dominions, or made Denizen, being a Popiſh Recuſant, and before the end of this Seſſion of Parliament conuicted for not repairing to ſome Church, Chappell, or vſuall place of Common Prayer, to heare diuine Seruice there, but forbearing the ſame contrary to the tenor of the Lawes and Statutes heretofore made and prouided in that behalfe, and hauing any certaine place of dwelling and abode within this Realme, ſhall within 40. daies next after the end of this Seſſion of Parliament, being 10. Aprilis, Anno Dom. 1593. (if they be within this realme, and not reſtrained or ſtaied, either by impriſonment, or by her Maieſties commaundement, or by any order and direction of ſome fire or more of the priuie Counſell, or by ſuch ſickneſſe, or infirmitie of body, as they ſhall not be able to trauell without imminent danger of life, & in ſuch caſes of abſence out of the realme, reſtraint, or ſtay, then within xx. daies next after they ſhall return into the realme, and be enlarged of ſuch impriſonment, or reſtraint, and ſhall be able to trauell) repaire to their place of dwelling, where they vſually heretofore made their common abode, and ſhall not at any time after paſſe or remoue aboue 5. miles from thence. 35. Eliz. 2.

Recuſants which ſhall be hereafter conuicted.

27 Euery perſon being aboue the age of xvj. yeres, borne within any her Maieſties Realmes or Dominions or made Denizen, and hauing, or which hereafter ſhall haue any certaine place of dwelling and abode within this realme, which being then a Popiſh Recuſant, ſhall at any time hereafter be lawfully conuicted for not repairing to ſome Church, Chappell, or vſuall place of Common Prayer, to heare diuine Seruice there, but forbearing the ſame contrary to the ſaid Lawes and Statutes, and being within this Realme at the time that they ſhall be conuicted, ſhal within xl. daies nert after the ſame conuiction (if they be not reſtrained or ſtaied by impriſonment, or otherwiſe, as is aforeſaid, and in ſuch caſes of reſtraint and ſtay, then within xx. daies next after they ſhall be enlarged of ſuch impriſonment, or reſtraint, and ſhalbe able to trauell) repaire to their place of vſuall dwelling & abode, and ſhall not at any time after paſſe or remoue aboue 5. myles from thence, vpon paine, that euery perſon & perſons that ſhall offend againſt the tenor and intent of this Act, in any thing before mentioned, ſhall loſe and forf. all his and their goods and chattels, and ſhall alſo forfeit to the Quænes Maieſtie all the Lands, Tenements, and hereditaments, and all the rents and annuities of euery ſuch perſon ſo doing or offending, during the life of the ſame offendor. 35. Eliz. 2. Confir. 3. Iac. 5.

A Recuſant not hauing any certaine place of abode.

28 Euerie perſon aboue the age of xvj. yeares, borne within any her Maieſties Dominions, not hauing any certaine place of dwelling and abode within this Realme, and being a Popiſh Recuſant not vſually repairing to ſome Church, Chappell, or vſuall place of Common prayer, but forbearing the ſame contrarie to the ſame Lawes and Statutes in that behalfe made, ſhall within fortie daies nert after the end of this Seſſion of Parliament (if they be then within this realm, and not impriſoned, reſtrained, or ſtaied, as aforeſaid, and in ſuch caſe of abſence

ſence out of the Realme, impriſonment, reſtraint, or ſtay, then within twentie dayes next after they ſhall returne into the Realme, and be enlarged of ſuch impriſonment, or reſtraint, and ſhall be able to trauell) repaire to the place where ſuch perſon was borne, or where the father or mother of ſuch perſon ſhall then be dwelling, and ſhall not at any time after remoue or paſſe aboue fiue miles from thence, vpon paine that euery perſon and perſons which ſhall offend againſt the tenor and intent of this Act, in any thing before mentioned, ſhall loſe and forfeit all his and their goods and chattels, and ſhall alſo forfeit to the Queenes Maieſtie all the lands, tenements, and hereditaments, and all the rents and annuities of euery ſuch perſon ſo doing or offending, during the life of the ſame perſon. 35. Eliz. 2.

29 Euerie ſuch offendor, as is before mentioned, which hath or ſhall haue any lands, tenements, or hereditaments, by copie of Court roll, or by any other cuſtomarie tenure, at the will of the Lord, according to the cuſtome of any manor, ſhall forfeit all and ſinguler his and their ſaid lands, tenements, and hereditaments, ſo holden by copie of Court Roll, or cuſtomarie tenure, as aforeſaid, for and during the life of ſuch offendor (if his or her eſtate ſo long continue) to the Lord or Lords of whom the ſame bin immediatly holden, if the ſame Lord or Lords be not then a Popiſh Recuſant, and conuicted for not comming to Church to heare diuine ſeruice, but forbearing the ſame contrarie to the Lawes and Statutes aforeſaid, nor ſeiſed or poſſeſſed vpon truſt to the vſe or behoſe of any ſuch Recuſant as aforeſaid: And in ſuch caſe the ſame forfeiture to be to the Queenes Maieſtie. 35. Eliz. 2.

The offendor ſhall forf. his copihold land.

30 All ſuch perſons, as by the intent and true meaning of this Act, are to make their repaire to their place of dwelling and abode, or to the place where they were borne, or where their father or mother ſhal be dwelling, and not to remoue or paſſe aboue fiue miles from thence, as is aforeſaid, ſhall within xx. daies next after their comming to any of the ſaid places (as the caſe ſhall happen) notifie their comming thither, and preſent themſelues, and deliuer their true names in writing to the Miniſter or Curat of the ſame pariſh, and to the Conſtable, Headborough, or Tithingman of the Towne, and thereupon the ſaid Miniſter or Curat, ſhall preſently enter the ſame into a Booke to be kept in euerie pariſh for that purpoſe. And afterward the ſaid Miniſter or Curat, & the ſaid Conſtable, Headborough, or Tythingman, ſhall certifie the ſame in writing to the Juſtices of the peace of the ſame Countie, at the nert generall quarter Seſſions to be holden in the ſame Countie. And the ſaid Juſt. ſhall cauſe the ſame to be entred by the Clerke of the peace, in the rolles of the ſame Seſſions. 35. Eliz. 2.

The offendor ſhall notifie his comming to his place of abode.

31 If any perſon or perſons being a Popiſh Recuſant, not being a feme couert, and not hauing lands, tenements, rents, or annuities of an abſolute eſtate of inheritance, or freehold, of the cleere yearely value of twentie Markes, aboue all charges, to their owne vſe and behoſe, and not vpon any ſecret truſt or confidence for any other, or goods and chattels in their owne right, and to their owne proper vſe and behoſe, and not vpon any ſuch ſecret truſt or confidence for any other, aboue the value of fortie pounds, ſhall not within the time before in this Act in that behalfe limitted and appointed, repaire to their place of vſuall dwelling and abode (if they haue any) or els to the place where they were borne, or where their Father or Mother ſhall be dwelling, according to the tenor and intent of this preſent Act, And thereupon notifie their comming, and deliuer their true names in writing to the Miniſter or Curat of the pariſh, and to the Conſtable, Headborough, or Tithingman of the Towne, within ſuch time, and in ſuch maner and forme as is aforeſaid, or at any time after ſuch their repairing to any ſuch place as is before appointed, ſhall paſſe or remoue aboue fiue miles from the ſame: and

A Recuſant of ſmall abilitie not repairing to the place appointed or thence departing.

shall not within three moneths next after such person shall be apprehended or taken for offending as is aforesaid, conforme themselues to the obedience of the lawes and Statutes of this Realme, in comming vsually to the Church to heare Diuine seruice, and in making such publique confession and submission, as hereafter in this Act is appointed and expressed, being thereunto required by the Bishop of the Dioces, or any Iustice of the Peace, of the Countie where the same person shall happen to be, or by the Minister or Curat of the Parish: In euerie such case, euerie such offendor being thereunto warned or required by any two Iustices of the peace, or Coroner of the same Countie where such offendor shall then be, shall vpon his and their corporall oath before any two Iustices of the P. or Coroner of the same Countie, Abiure this Realme of England, and all other the Quenes Maiesties Dominions for euer, and thereupon shall depart out of this Realme at such Hauen and Port, and within such time, as shall in that behalfe be assigned and appointed by the said Iustices of peace, or Coroner, before whom such Abiuration shall be made, vnlesse the same offendors be letted or staied by such lawfull and reasonable meanes or causes, as by the Common lawes of this Realme are permitted and allowed in cases of Abiuration for felonie, and in such cases of let or stay, then within such reasonable and conuenient time after, as the common Law requireth in case of Abiuration for felonie, as is aforesaid. And euerie Iustice of peace, and Coroner, before whom any such Abiuration shall happen to be made, as is aforesaid, shall cause the same presently to be entred of Record before them, and shall certifie the same before the Iustices of Assises and Gaole deliuerie of the said Countie, at the nert Assises or Gaole deliuery, to be holden in the same County: And if any such offendor, which by the tenor & intent of this Act, is to be abiured, as is aforesaid, shall refuse to make such Abiuration, as is aforesaid, or after such Abiuration made, shall not goe to such Hauen, & within such time as is before appointed, and from thence depart out of this Realme, according to this present Act, or after such his departure, shal returne or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall Licence in that behalfe first had & obtayned: Then in euery such case the person so offending, shall be adiudged a Felon, & shall suffer & lose as in case of Felony, without benefit of Clergie. 35. Eliz. 2.

Abiuration.

Refusing to abiure, departing or returning without licence.

S. Felony 5.

Proces.

Prouided, That if any such person so restrained as is aforesaid, shall be vrged by Proces without fraud or couine, or be bounden without fraud or couine to make apparance in any her Maiesties Courts, or shall be sent for, commaunded, or required by any three or more of her Maiesties Priuie Councel, or by any foure or more of any Commissioners to be in that behalfe nominated and assigned by her Maiestie, to make apparance before her Maiesties said Counsell, or Commissioners, that in euery such case, euerie such person so bounden, vrged, commaunded, or required, to make such apparance, shall not incurre any Paine, Forfeyture, or losse, for trauelling to make apparance accordingly, nor for his abode concerning the same, nor for conuenient time for his returne backe againe vpon the same. 35. Eliz. 2. S. Br. 62.

Commaundement.

A restrained person bound may yeld his bodie to the Sherife.

If any such person or persons so restrained as is aforesaid, shall be bound, or ought to yeld and render their bodies to the Sherife of the County where they shal happen to be, vpon proclamation in that behalfe without fraud or couine to be made: Then in euery such case, euery person which shall be so bounden, or ought to yeld & render their body, as aforesaid, shal not incurre any paine, forfeiture, or losse, for trauelling for that intent & purpose only without fraud or couin, nor for conuenient time taken for their returne back againe vpon the same. 35. Eliz. 2.

If any person or persons, that shal at any time hereafter offend against this Act, shall before he or they shall be thereof conuicted, come to some Parish Church

on

on ſome Sunday, or other Feſtiuall day, and then & there heare Diuine Seruice, and at Seruice time before the Sermon, or reading of the Goſpell, make publique and open Submiſſion and declaration of his and their conformitie to her Maieſties Lawes and Statutes, as hereafter in this Act is declared & appointed: Then the ſame offendor ſhall thereupon be clerely diſcharged, of, and from all and euery paines and forfeitures inflicted or impoſed by this Act, for any of the ſaid offences in this Act contained: The ſame Submiſſion to be made as hereafter followeth: That is to ſay, I A.B. do humbly confeſſe & acknowledge, that I haue grieuouſly offended God, in contemning her Maieſties godly and lawfull gouernment and authority, by abſenting my ſelfe from Church, and from hearing Diuine Seruice, contrarie to the godly Lawes and Statutes of this Realme, And I am hartily ſorie for the ſame, and do acknowledge and teſtifie in my conſcience, that the Biſhop or See of Rome, hath not, nor ought to haue any power or authoritie ouer her Maieſtie, or within any her Maieſties Realmes and Dominions: And I do promiſe and proteſt, without any diſſimulation, or any colour or meanes of any diſpenſation, that from henceforth I will from time to time, obey and performe her Maieſties Lawes and ſtatutes, in repairing to the Church, and hearing Diuine Seruice, and do mine vttermoſt indeuour to maintaine and defend the ſame. And euery Miniſter or Curate of euery Pariſh where ſuch Submiſſion and declaration of conformitie ſhall hereafter be ſo made, by any ſuch offendor, as aforeſaid, ſhall preſently enter the ſame into a Booke, to be kept in euery Pariſh for that purpoſe, and within ten dayes then nert following, ſhall certifie the ſame in writing to the Biſhop of the ſame Dioces. 35. Eliz. 2.

The forme of the Submiſſion.

The Submiſſion entred into a Booke.

35 Prouided neuertheleſſe, that if any ſuch offendor after ſuch Submiſſion made as aforeſaid, ſhall afterward fall into relapſe, or eftſones become a Recuſant in not repairing to Church to heare Diuine Seruice, but ſhall forbeare the ſame, contrarie to the Lawes and Statutes in that behalfe made and prouided: That then euery ſuch offendor ſhall loſe all ſuch benefit, as he or ſhee might otherwiſe by vertue of this Act, haue or inioy by reaſon of their ſaid Submiſſion, and ſhall thereupon ſtand and remaine in ſuch plight, condition, and degree, to all intents, as though ſuch Submiſſion had neuer been made. 35. Eliz. 2.

The offendor falling into relapſe.

36 All and euery woman maried, or hereafter to be maried, ſhall be bound by all and euery article, branch, and matter contained in this Statute, other then the branch and article of Abiuration before mentioned. And no ſuch woman married, or to be married, during marriage, ſhall be in any wiſe forced or compelled to Abiure, or to be Abiured by vertue of this Act: Any thing therein contained to the contrarie notwithſtanding. 35. Eliz. 2.

Maried women bound.

37 If any that is, or ſhall be a Recuſant, ſhall ſubmit, or reforme him, or her ſelfe, and become obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Diuine Seruice, and Sacraments, according to the true meaning of the Statutes in that behalfe, in the late Quenes time made and prouided, Then euery ſuch perſon, for and during ſuch time, as he or ſhee ſhall ſo continue in ſuch conformitie and obedience, ſhall from thenceforth be freed and diſcharged, of, and from any the penalties and loſſes which the ſame perſon might otherwiſe ſuſtaine, and beare, in reſpect or by reaſon of ſuch perſons Recuſancie. 1. Iac. 4.

A Recuſant conforming himſelfe to the Law.

38 If any Recuſant ſhall hereafter die, his Heire being no Recuſant, in euery ſuch caſe, euery ſuch Heire ſhall be freed and diſcharged of all & ſinguler the penalties, charges, and incumbrances, hapning vpon him, or her, in reſpect, or by reaſon of his or her auncеſtors Recuſancie. And if at the deceaſe of any ſuch Recuſant, his Heire ſhall happen to be a Recuſant, and after ſhall become conformable and obedi-

In what caſes a Recuſant ſhall be charged, and in what not.

obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Diuine Seruice, and Sacraments, according to the intent and true meaning of the ſaid Statutes and ordinances, in that behalfe made, as is aforeſaid, And alſo ſhall take the Oath of Supremacie, in ſuch ſort, as that Oath is expreſſed in one Act of Parliament made Ann. 1. Eliz. before the Archbiſhop, or Biſhop of the Dioceſſe: In euery ſuch caſe, euery ſuch Heire ſhall be freed and diſcharged, of all and ſinguler the penalties, charges, and incumbrances, hapning vpon him, or her, in reſpect, or by reaſon of any of his, or her auncеſtors Recuſancie. Prouided alwayes, That if the Heire of any ſuch Recuſant, ſhall happen to be within age of xxj. yeares, at the time of the deceaſe of his, or her Auncеſtor, and ſhall after his, or her ſaid age of ſixténe yeares, become, or be a Recuſant, in euery ſuch caſe any ſuch heire ſhal not be freed, or diſcharged, of all or any the penalties, charges, & incumbrances, hapning vpon him, or her, in reſpect, or by reaſon of any of his or her Auncеſtors Recuſancie, vntil he or ſhee ſhall ſubmit or reforme him, or her ſelfe, & become obedient to the Lawes and ordinances of the Church of England, and repaire to the Church, and continue there during the time of the Diuine Seruice, and Sacraments, according to the intent of the ſaid Statutes and ordinances in that behalfe, as is aforeſaid, and ſhall take the ſaid Oath of Supremacie, in maner and forme aforeexpreſſed: And yet neuertheleſſe, from and after ſuch Submiſſion and Oath had and taken, euery ſuch Heire ſhall be freed and diſcharged, of all and ſinguler the penalties, charges, and incumbrances, hapning vpon him, or her, in reſpect, or by reaſon of any his or her Auncеſtors Recuſancie. 1. Iac. 4.

A third part of his lyuing ſhall remaine cleere to a Recuſant.

39 Where any ſeiſure ſhall be had of the two parts of any lands, tenements, hereditaments, leaſes, or farmes, for the not payment of the twentie pounds due and payable for each Moneth, according to the Statute in that caſe lately made and prouided: In euery ſuch caſe, euery ſuch two parts ſhall according to the extent thereof, go toward the ſatisfaction and payment of the xx. pounds due & payable for each Moneth, and vnpaid by any ſuch Recuſant. And the third part thereof ſhall not be extended, or ſeiſed by the King, his heires or ſucceſſors, for not payment of the ſaid xx. pounds, payable for each Moneth forfeited or loſt by any ſuch Recuſant. And where any ſuch ſeiſure ſhall be had of the two parts of the lands, tenements, hereditaments, leaſes, or farmes, of any ſuch Recuſant, as is aforeſaid, and ſuch Recuſant ſhall die (the debt or duetie by reaſon of his Recuſancie not paied, ſatiſfied, or diſcharged) in euery ſuch caſe, the ſame two parts ſhal continue in his Maieſties poſſeſſion, vntill the reſidue or remainder of the ſaid debt or duetie be thereby, or otherwiſe paied, ſatiſfied, or diſcharged. And his Maieſtie, his heires or ſucceſſors, ſhall not ſeize, or extend any third part diſcending to any ſuch heires, or any part thereof, either by reaſon of the Recuſancie of his or her Auncеſtors, or the Recuſancie of any ſuch heire. 1. Iac. 4.

A conformed Recuſant ſhal receiue the Sacrament.

40 Euery Popiſh Recuſant conuicted, or hereafter to be conuicted, which heretofore hath conformed him, or her ſelfe, or which ſhall hereafter conforme him, or her ſelfe, and repaire to the Church, and continue there during the time of Diuine Seruice, according to the Lawes and Statutes in that behalfe made and prouided, ſhall within the firſt yeare next after the end of this Seſſion of Parliament, (if hée or ſhée be conformed, as aforeſaid, before the end of this Seſſion of Parliament) or within the firſt yeare next after that hée or ſhée ſhall after this Seſſion of Parliament, ſo conforme him, or her ſelfe, and repaire to Church, as aforeſaid, and after the ſaid firſt yeare, ſhall once in euery yeare following at the leaſt, receiue the bleſſed Sacrament of the Lords Supper, in the Church of that Pariſh where he or ſhe ſhall moſt vſually abide, or be, within the ſaid yeare, wherein by the true meaning of this Statute, he or ſhe ought ſo to receiue. And if there be no ſuch

Pariſh

Parish Church, then in the Church nert adioyning to the place of his or her such moſt vſuall abode. And if any Recuſant ſo conformed, ſhall not receiue the ſaid Sacrament of the Lords Supper accordingly, he or ſhe ſhal for ſuch not receiuing, lose and forfeit for the firſt yeare xx. pounds, and for the ſecond yeare for ſuch not receiuing fortie pounds, and for euery yeare after for ſuch not receiuing thræſcore pounds, vntill he or ſhee ſhall haue receiued the ſaid Sacrament, as is aforeſaid. And if after he or ſhee ſhall haue receiued the ſaid Sacrament, as is aforeſaid, and after ſhall eftſones at any time offend in not receiuing the ſaid Sacrament, as is aforeſaid, by the ſpace of one whole yeare, in euery ſuch caſe, ſuch perſon ſo offending, ſhall for euery ſuch offence loſe & forfeit thræſcore pounds to the K. and J. to be recouered in any the Kings Courts of Record at Weſtm̃, or before Iuſtices of Aſſiſe, or generall Gaole deliuery, or before Iuſtices of the Peace at their generall Quarter Seſſions, by A. B. P. J. &c. wherein no W. E. P. &c. 3. Iac. 4.

41 The Churchwardens and Conſtables of euery Towne, Parish, or Chappell, for the time being, or ſome one of them, or if there be none ſuch, then the chiefe Conſtables of the Hundred where ſuch Towne, Parish, or Chappell, is, or ſhall be, or ons of them, aſwell in places exempt, as not exempt, ſhall once in euery yeare preſent the Monethly abſence from Church, of all, and all maner Popiſh Recuſants, within ſuch Townes and Pariſhes, and ſhall preſent the names of euery of the children of the ſaid Recuſants, being of the age of nine yeares and vpwards, abyding with their ſaid Parents, and as nére as they can, the age of euery of the ſaid Children, as alſo the names of the Seruants of ſuch Recuſants, at the generall or quarter Seſſions of that Shire, Limit, Diuiſion, or Libertie. All ſuch Preſentments ſhall be accepted, entred, & recorded in the ſaid Seſſions, by the Clerke of the Peace, or Towne-Clerke for the time being, or his Deputie, without any fée to be had, aſked, or taken for the ſame. And in default of ſuch Preſentment to be made, the ſaid Churchwardens, Conſtables, or High Conſtables, reſpectiuely, ſhall for euery ſuch default forfeit xx. ſhillings. And in default of ſuch accepting, entring, and recording without fée, as aforeſaid, the ſaid Clerke of the peace, or Towne-Clerke, ſhall for euery ſuch offence forfeit forty ſhillings. And vpon euery preſentment of ſuch Monethly abſence, as aforeſaid, whereupon ſuch party ſo preſented, ſhall after happen to be indicted and conuicted (not being for the ſame abſence before preſented) Then the ſaid Churchwardens, Conſtables, or High Conſtables, reſpectiuely, ſo making ſuch preſentments, ſhall haue a reward of xl. ſhillings, to be leuied out of the Recuſants goods and eſtate, in ſuch maner and forme, as by the more part of the Iuſtices ſhall be by warrant vnder their hands and ſeales, then and there ordered and appointed. 3. Iac. 4.

Recuſants preſented.

The Preſentments entred.

The Preſentors reward.

42 The Iuſtices of Aſſiſe and Gaole deliuerie at their Aſſiſes, and the ſaid Iuſtices of Peace at any their ſaid Seſſions, ſhall haue authoritie by vertue of this Act, to enquire, heare, and determine of all Recuſants, and offences, aſwell for not receiuing the Sacrament aforeſaid, according to the true meaning of this Law, as for not repairing to Church, according to the meaning of former Lawes, in ſuch maner and forme, as the ſaid Iuſtices of Aſſiſe, and Gaole deliuerie doe, or may now doe by former Lawes in the caſe of Recuſancie for not repairing to Church, and alſo ſhall haue power at their ſaid Aſſiſes, and Gaole deliuerie, and at the Seſſions (in which any Indictment againſt any perſon, either for not repairing to Church, according to former Lawes, or not receiuing the ſaid Sacrament according to this Law, ſhall be taken) to make Proclamation, by which it ſhall be commaunded, that the bodie of euery ſuch offendor ſhall be rendred to the Shirife of the ſame Countie, or Bailife, or other keeper of the Gaole of the Libertie, before the next Aſſiſes, and generall Gaole deliuerie, or before the nert general or quarter Seſſions, reſpectiuely to be holden for the ſaid Shire, Limit, Diuiſion, or Libertie.

The Iuſtices ſhall inquire of offendors.

Proclamation

And

S.B. 13. And if at the ſaid next Aſſiſes and generall Gaole delinerie, or Seſſions, the ſame offendor ſo proclaimed, ſhall not make apparance of Record: Then vpon euery ſuch default recorded, the ſame ſhall be as ſufficient a conuiction in law of the ſaid offence, whereof the partie ſhall ſtand indicted, as aforeſaid, as if vpon the ſame Indictment a triall by verdict thereupon had proceded, and been found againſt him or her, and Recorded. 3. Iac. 4. S. Iuſt. of P. 10.

The penaltie of a conuicted Recuſant. 43 Euery offendor in not repairing to Diuine Seruice, but forbearing the ſame, contrarie to the Statutes in that behalfe made and prouided, that hereafter ſhall fortune to be thereof once conuicted, ſhall in ſuch of the Termes of Eaſter and Michaelmas, as ſhall be next after ſuch conuiction, pay into the Receipt of the Exchequer after the rate of twentie pounds for euery Moneth, which ſhall be contained in the Indictment, whereupon ſuch conuiction ſhall be, And ſhall alſo for euery Moneth after ſuch conuiction, without any other Indictment or Conuiction, forfeit twentie pounds, and pay into the Receipt of the Exchequer aforeſaid, at two times in the yeare, That is to ſay, in euery Eaſter and Michaelmas Terme, as much as then ſhall remaine vnpaid after the rate of xx. pounds for euery Moneth after ſuch conuiction, except in ſuch caſes, where the King ſhall and may by force of this Act refuſe the ſame, and take two parts of the lands, tenements, hereditaments, leaſes, and farmes, of ſuch offendor, till the ſaid partie being indicted for not comming to Church, contrarie to former Lawes, ſhall conforme himſelfe, and come to Church, according to the meaning of the Statute in that behalfe made and prouided. And euery Conuiction recorded for any offence before mentioned, ſhall from the Juſtices before whom the Record of ſuch Conuiction ſhall be remaining, be certified into the Kings Maieſties Court of Exchequer, before the end of the Terme following ſuch Conuiction, in ſuch conuenient certaintie for the time, and other circumſtances, as the Court of Exchequer may thereupon award out Proceſſe for the ſeiſure of the lands and goods of euery ſuch offendor, as the cauſe ſhall require. And if default ſhall be made in any part of any payment aforeſaid, contrarie to the forme herein before limitted, then and ſo often, the K. Maieſtie, his Heires and Succeſſors, ſhall and may by Proces out of the ſaid Exchequer, take, ſeiſe, & enioy, all the goods, and two parts aſwell of all the lands, tenements, and hereditaments, leaſes, and farmes of ſuch offendor, as of all other the lands, tenements, and hereditaments, lyable to ſuch ſeiſure, or to the penalties aforeſaid, by the true meaning of this Act, leaning the third part onely of the ſame lands, tenements, and hereditaments, leaſes, and farmes, to and for the maintenance and reliefe of the ſame offendor, his wife, children, and familie. 3. Iac. 4.

Conuiction certified into the Exchequer.

S.B. 9.

S.B. 11.

The K. may take two parts of Recuſants lands. 44 The Kings Maieſtie, his Heires and Succeſſors, ſhall from and after the Feaſt of Saint Michaell the Archangell, next comming after the end of this Seſſion of Parliament, haue full power and libertie to refuſe the penaltie of twentie pounds a Moneth, though it be tendred readie to be paied according to the law, and thereupon to ſeize, & take to his owne vſe, and the vſes, intents, and purpoſes, hereafter limitted, two parts in three to be diuided, aſwell of all the lands, tenements, and hereditaments, leaſes, and farmes, that at the time of ſuch ſeiſure ſhall be, or afterward ſhall come to any the ſaid offendors in not comming to Church, or any other to his, or her vſe, or in truſt for him, or her, or at his, or her diſpoſition, or whereby, or wherewith, or in conſideration whereof ſuch offendor, or his familie, or any of them, ſhall be relieued, maintained, or kept, as of all other lands, tenements, and hereditaments, in any wiſe, or at any time lyable to ſuch ſeiſure, or to the penalties aforeſaid, and the ſame to retaine to his owne, and other vſes, intents, and purpoſes, hereafter in this Act appointed, till euery ſuch offendor ſhall conforme him, or herſelfe, reſpectiuely as aforeſaid, in lieu and full recompence of the xx. pounds Monethly, that during his ſuch ſeiſure and retainer ſhall incurre,

incurre: Any thing in the former Statutes, or in any of them, or any other ſtatute to the contrarie in any wiſe notwithſtanding. Sauing to our Soueraigne Lord the Kings Maieſtie, his heires and ſucceſſors, and all and euerie perſon and perſons, bodies politike and corporat, their heires and ſucceſſors, other then the ſaid offendor, his or her heires, and all claiming to his or their vſe, or in truſt for him or them, or at his or their will or diſpoſition, all and all maner Leaſes, Rents, Conditions, and other Rights and Titles whatſoeuer, had, made, and done (bona fide) and without fraud and couine before ſuch ſeiſure. Prouided alwaies, That the Kings Maieſtie, his heires and ſucceſſors, ſhall not take into his two parts, but leaue to ſuch offendor his chiefe manſion houſe, as part of his third part, and ſhall not demiſe, leaſe, nor put ouer the ſaid two parts, nor any part thereof, to any Recuſant, nor to, or for the vſe of any Recuſant. And that whoſoeuer ſhall take the ſame in leaſe, or otherwiſe of his Maieſtie, his heires and ſucceſſors, ſhall giue ſuch ſecuritie, not to commit nor ſuffer waſt to be committed, in, or vpon any the ſaid premiſſes, as by the Court of Exchequer ſhall be allowed ſufficient. 3. Iac. 4. S. Br. 1. 11.

A Recuſants Manſion houſe.

45 It ſhall be lawfull, to and for any Biſhop in his Dioces, or any two Juſtices of the P. whereof one to be of the Quorum, within the limits of their iuriſdiction, out of the Seſſions, to require any perſon of the age of xviij. yeares, or aboue, being, or which ſhall be conuict or indicted, of, or for any Recuſancie (other then Noble men, or Noble women) for not repairing to diuine ſeruice, according to the Lawes of this Realme, or which ſhall not haue receiued the ſaid Sacrament twice within the yeare then next paſt (Noble men, and Noble women excepted) or any perſon paſſing in or through the Countie, Shire, or Libertie, and vnknowne (except as is laſt before excepted) that being examined vpon oath, ſhall confeſſe, or not deny himſelfe, or her ſelfe to be a Recuſant, or ſhall confeſſe, or not deny, that hee or ſhee had not receiued the ſaid Sacrament twice within the yeare then laſt paſt, to take the oath hereafter following vpon the holy Euangeliſt: which ſaid Biſhop, or two Juſtices of the P. ſhall certifie in writing, ſubſcribed with his or their hands, at the next generall or quarter Seſſions for that Shire, Limit, Diuiſion, or Libertie, within which the ſaid oath ſhall be ſo taken, the Chriſten name, Surname, and place of abode, of euery perſon which ſhall ſo take the ſaid oath, which certificat ſhal be there recorded by the Clerke of the Peace, or Towne Clerke, and kept amongſt the Records of the ſaid Seſſions. If any ſuch perſon or perſons (other then Noble men, and Noble women) ſhall refuſe to aunſwere vpon oath to ſuch Biſhop or Juſtices of Peace examining him or her, as aforeſaid, or to take the ſaid Oath ſo duely tendered vnto him or her, by ſuch Biſhop, or two ſuch Juſt. of P. out of Seſſions, then the ſaid Biſhop, or Juſtices of peace, ſhall & may commit the ſame perſon to the common Gaole, there to remaine without baile or mainprize, vntill the next Aſſiſes, or generall or quarter Seſſions to be holden for the ſaid Shire, Diuiſion, Limit, or Libertie, where the ſaid Oath ſhall be againe in the ſaid open Aſſiſes or Seſſions required of ſuch perſon, by the ſaid Juſtices of Aſſiſes, or Juſtices of Peace then and there preſent, or the greater number of them. And if the ſaid perſon or perſons, or any other perſon whatſoeuer (other then Noble men, or Noble women) of the age of xviij. yeares, or aboue, ſhall refuſe to take the ſaid Oath being tendered vnto him or her by the Juſtices of Aſſiſe and Gaole deliuerie in their open Aſſiſes, or the Juſtices of Peace, or the greater part of them, in their ſaid generall or quarter Seſſions, euery perſon ſo refuſing ſhall incurre the danger and penaltie of Præmunire, mentioned in the Statute of Præmunire, made in the 16. yeare of the Raigne of King Richard the ſecond, except women couert, who vpon refuſall of the ſaid Oath, ſhall be by the ſaid Juſtices of Aſſiſe in their open Aſſiſe, or Juſtices of Peace in their generall

Who may tender the Oath, and to whom.

The penaltie for refuſing the Oath.

or

or quarter Sessions for the said offence, committed onely to the Common Gaole, there to remaine without Baile or Mainprize, till they will take the said Oath. The tenor of which said Oath hereafter followeth. 3. Iacobi 4.

The forme of the Oath.

46 I A.B. doe truely and sincerely acknowledge, professe, testifie, and declare in my Conscience before God and the world, That our Soueraigne Lord King *Iames*, is lawfull and rightfull King of this Realme, and of all other his Maiesties Dominions and Countries; And that the Pope, neither of himselfe, nor by any Authoritie of the Church, or Sea of Rome, or by any other meanes with any other, hath any Power or Authoritie, to depose the King, or to dispose any of his Maiesties Kingdomes or Dominions, or to authorize any forraigne Prince to inuade or annoy him, or his Countries, or to discharge any of his Subiects of their Allegeance and obedience to his Maiestie, or to giue licence or leaue to any of them to beare Armes, raise tumult, or to offer any violence or hurt to his Maiesties Royal Person, State, Gouernment, or to any of his Maiesties Subiects, within his Majesties Dominions. Also, I doe sweare from my heart, that notwithstanding any Declaration, or sentence of Excommunication, or Depriuation made or graunted, or to be made or graunted by the Pope, or his Successors, or by any Authoritie deriued, or pretended to be deriued from him, or his Sea, against the said King, his Heires, or Successors, or any Absolution of the said Subiects from their obedience: I will beare faith, and true allegeance to his Majestie, his Heires and Successors, and him and them will defend to the vttermost of my power, against all Conspiracies and attempts whatsoeuer, which shall bee made against his or their persons, their Crowne and dignitie by reason or colour of any such sentence or declaration, or otherwise, and will doe my best endeuor to disclose and make knowne vnto his Maiestie, his Heires and Successors, all Treasons and Trayterous Conspiracies, which I shall know or heare of to be against him or any of them. And I doe further sweare, That I doe from my heart abhorre, detest, and abiure, as impious and hereticall, this damnable Doctrine and Position, That Princes which be Excommunicated or depriued of the Pope, may be deposed or murthred by their Subiects, or any other whatsoeuer. And I doe beleeue and in conscience am resolued, That neither the Pope, nor any person whatsoeuer, hath power to absolue mee of this Oath, or any part thereof, which I acknowledge by good and full authoritie to be lawfully ministred vnto mee, and doe renounce all Pardons and Dispensations to the contrarie. And these things I doe plainely and sincerely acknowledge and sweare, according to these expresse wordes by me spoken, And according to the plaine and common sense and vnderstanding of the same words, without any Equiuocation, or mentall euasion, or secret reseruation whatsoeuer. And I doe make this Recognition and acknowledgement heartily, willingly, and truely, vpon the true faith of a Christian. So helpe me God.

Vnto which Oath so taken, the said person shall Subscribe his or her name or marke. 3. Iac. 4.

An Indictment shal not be reuersed for want of forme.

47 No Indictment or Indictments had or found, or hereafter to be had or found against any person or persons, for not repayring to some Church, or Chappell, or vsuall place of Common Prayer, but absenting him, or her selfe by the space of one Moneth, contrarie to the Lawes and Statutes in that behalfe prouided, or for not receyuing the said Sacrament, contrarie to this present Law, nor any Proclamation, Milawzie, or other proceeding thereupon, shall at any time hereafter be auoyded, discharged, or reuersed, by reason of any default in forme, or lacke of forme, or other defect whatsoeuer (other then by direct Trauers to the point of not comming to Church, or not receiuing the said Sacrament) whereof such person or persons hath been, or shall be indited, but the same Indictment shall stand in force, and be proceeded vpon: Any such default, or forme, or other

defect

defect whatſoeuer notwithſtanding. Prouided alwayes, That if any perſon or perſons ſo indicted, or to be indicted, ſhal at any time hereafter ſubmit and conforme him or her ſelfe, and become obedient to the Lawes of the Church of England, and repaire to the Parith Church of his or her moſt abiding, and if there be none ſuch, then to the Church next adioyning to his or her ſuch dwelling, and there heare Diuine Seruice, according to the true meaning of the Statute in that behalfe made and prouided, and there publikely receiue the ſaid Sacrament, according to the Lawes of this Realme of England now eſtabliſhed: That then euerie ſuch perſon and perſons ſo indicted, ſhal and may from thenceforth be admitted and allowed, to auoid, diſcharge, reuerſe, & vndo the ſaid Indictment & Indictments, and all proceeding thereupon in ſuch maner and forme, as if this Act had not beene had nor made, any thing herein contained to the contrarie in any wiſe notwithſtanding. 3. Iac. 4.

In Indictment reuerſed vpon conformation.

48 Euerie Subiect of this Realme, that after the tenth day of June next comming, ſhall goe or paſſe out of this Realme, to ſerue any forreine Prince, State, or Potentate, or ſhall after the ſaid tenth day of June paſſe ouer the Seas, and there ſhall voluntarily ſerue any ſuch forreine Prince, State, or Potentate, not hauing before his or their going or paſſing, taken the othe aforeſaid, before the officer hereafter appointed, ſhall bee felon. And if any Gentleman or perſon of higher degree, or any perſon or perſons which hath borne, or ſhall beare any Office or place of Captaine, Lieutenant, or any other place, charge, or Office, in Campe, Armie, or Companie of Souldiers, or Conductor of Souldiers, ſhall after goe or paſſe voluntarily out of this Realme, to ſerue any ſuch forreine Prince, State, or Potentate, before that hee and they ſhall become bound by Obligation, with two ſuch Suerties as ſhall bee allowed of by the Officers, which are hereafter by this Act limited, to take the ſame Bond vnto the King, his Heires or Succeſſors, in the ſumme of twentie pounds of currant Engliſh money at the leaſt, with Condition to the effect following, ſhall be a Felon. The tenor of which Condition followeth, viz.

Departing the Realme to ſerue a forrein Prince.

Felony.

Bound in 20 l. with two Suerties.

Felonie.

THat if the within bounden &c. ſhall not at any time then after be reconciled to the Pope or Sea of Rome, nor ſhal enter into, or conſent vnto any practiſe, plot, or conſpiracie whatſoeuer, againſt the K. Maieſtie, his heires and ſucceſſors, or any his and their Eſtate and Eſtates, Realmes and Dominions: But ſhall within conuenient time after knowledge thereof had, reueale and diſcloſe to the Kings Maieſtie his heires and ſucceſſors, or ſome of the Lords of his or their Honourable Priuie Counſell, all ſuch practiſes, plots, and conſpiracies, That then the ſaid Obligation to bee void.

The Condition of the Obligation.

And it ſhall and may be lawfull to and for the Cuſtomer and Controller of euery Port, Hauen, or Creeke, or one of them, and their or either of their Deputie or Deputies, and none other, to receiue and accept all and euerie ſuch Bond and Obligation, to and for the vſes aforeſaid, and to miniſter and giue the othe aforeſaid, according to the true intent of this Statute (taking for ſuch bond vj. d. and no more, and for the ſaid othe no fee at all) which ſaid Cuſtomer and Controller ſhall Regiſter and certifie all and euery ſuch Bond and Othe ſo taken into the Court of Exchequer at Weſtminſter once euerie yeare, vpon paine of fiue pounds for euery Bond not ſo certified, and twentie ſhillings for euery othe not ſo certified. Prouided alwayes, that this laſt mentioned braunch ſhall not extend to any perſon or perſons which are alreadie gone, or ſhall go beyond the Seas to ſerue any forreine Prince, State, or Potentate, before the tenth day of June next comming, for his ſaid going or paſſing before the ſaid tenth day of June. 3. Iac. 4.

Who may receiue the ſayd othe and Obligation.

Reconciling to the Pope.

49 If any person or persons at any time after the said tenth day of June, shall either vpon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Maiestie, his heires or successors, put in practise to absolue, perswade, or withdraw any of the Subiects of the Kings Maiestie, or of his heires or Successors, of this Realme of England, from their naturall obedience to his Maiestie, his heirs or successors, or to reconcile them to the Pope or Sea of Rome, or to moue them, or any of them, to promise obedience to any pretended authoritie of the Sea of Rome, or to any other Prince, State, or Potentate, Then euerie such person, their Procurors, Counsellors, Ayders, and Maintainers, knowing the same, shall bee to all intents adiudged Traytors, and being thereof lawfully conuicted, shall haue iudgement, suffer and forfeit as in cases of High Treason. And if any such person, as aforesaid, at any time after the sayd tenth day of June, shall bee either vpon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Maiestie, his heires or successors, willingly absolued, or withdrawne, as aforesaid, or willingly reconciled, or shall promise obedience to any such pretended authoritie, Prince, State, or Potentate, as aforesaid, Euerie such person and persons, their Procurors, and Counsellors, Ayders, and Maintainers, knowing the same, shall bee to all intents adiudged Traitors, and being thereof lawfully conuicted, shall haue Iudgement, suffer and forfeit, as in cases of High Treason. Prouided neuertheless, That the last mentioned Clause of this Braunch, or any thing therein contained, shall not extend, or bee taken to extend, to any person or persons whatsoeuer, which shall hereafter be reconciled to the Pope or Sea of Rome as aforesaid (for and touching the poynt of so being reconciled onely) that shall returne into this Realme, and thereupon within six dayes next after such returne, before the Bishop of the Dioces, or two Iustices of Peace (ioyntly or seuerally) of the Countie where hee shall arriue, submit himselfe to his Maiestie and his Lawes, and take the othe set forth by Act in the first yeare of the Raigne of the late Queene Elizabeth (commonly called the Othe of Supremacie) as also the othe before set downe in this present Act, which sayd Othes the sayd Bishop and Iustices respectiuely shall haue power and authoritie by this present Act, to minister to such persons, as aforesaid. And the said Othes so taken, the said Bishop and Iustices, before whom such Othes shal bee so taken, respectiuely shall certifie at the next generall or Quarter Sessions of the Peace to bee holden within the said Shire, Limit, Diuision or Libertie, wherein such person as aforesaid shall submit himselfe, and take the sayd Othes as aforesaid, vpon pain of euerie one neglecting to certifie the same as aforesaid, the summe of fortie pounds. All and euerie person and persons, that shall offend contrarie to this present braunch of this Statute, shal be indicted, tried, and proceeded against, by and before the Iustices of Assise, and Gaole deliuerie of that Countie, for the time being, or before the Iustices of the Court of the Kings Bench, and bee there proceeded against, according to the Lawes and Statutes of this Realme, prouided against Traitors, as if the sayd offence had been committed in the same countie, where such person or persons shall be so taken, Any Law, Custome, or Statute to the contrarie in any wise notwithstanding. Prouided alwayes, That if any Peere of this Realme shall happen to be indicted of any offence made Treason by this Act, he shall haue his triall by his Peeres, as in other like cases of Treason is accustomed. 3. Iac. 4. S. Rome 7.

Weing conuicted.

A reconciled person taketh the othe.

The triall.

Triall by Peeres.

The forf. for not going to the Church euery Sunday S. Br. 1.

50 If any Subiect of this Realme, at any time after one moneth next after the end of this present Session of Parliament, shall not resort or repaire euerie Sunday to some Church, Chappell, or some other vsuall place appointed for Common Prayer, and there heare Diuine Seruice, according to the Statute made in that behalfe, in the first yeare of the Raigne of the late Queene Elizabeth, then it shall

and

and may be lawfull, to and for any one Juſtice of Peace of that limit, diuiſion, or libertie, wherein the ſaid partie ſhall dwell, vpon proofe vnto him made of ſuch default by confeſſion of the partie, or oath of witneſſe, to call the ſaid partie before him, and if hee or ſhee ſhall not make a ſufficient excuſe, and due proofe thereof, to the ſatisfaction of the ſaid Juſtice of Peace: It ſhall be lawfull for the ſaid Juſtice of Peace, to giue warrant to the Churchwarden of the ſaid Parish, wherein the ſaid partie ſhall dwell, vnder his hand and ſeale, to leuie xy. pence for euery ſuch default by diſtreſſe and ſale of the goods of euery ſuch offendor, rendring to the ſaid offendor the ouerplus of the money raiſed of the ſaid goods ſo to be ſold, And in default of ſuch diſtreſſe, it ſhall and may be lawfull for the ſaid Juſtice of Peace, to commit euery ſuch offendor to ſome priſon within the ſaid Shire, Diuiſion, Limit, or Libertie, wherein ſuch offendor ſhall be inhabiting, vntill payment be made of the ſaid Summe or Summes ſo to be forfeited, which forfeiture ſhall be imployed, to and for the vſe of the Poore of that Parish, wherein the offendor ſhall be reſident and abiding, at the time of ſuch offence committed. Prouided, that no man be impeached vpon this Clauſe, except hee be called in queſtion for his ſaid default, within one Moneth next after the ſaid default made. And no man being puniſhed according to this Branch, ſhall for the ſame offence be puniſhed by the forfeiture of xy. pence, vpon the Law made in the firſt yeare of the late Queene Eliz. 5. Iac. 4.

within what time the offence ſhall be preſented.

51 Euery perſon and perſons, which after one Moneth next after the end of this preſent Seſſion of Parliament, ſhall willingly maintaine, retaine, relæue, keepe, or harbour in his or their houſe, any Seruant, Soiourner, or Straunger, who ſhall not go to, or repaire to ſome Church, or Chappell, or vſuall place of Common Prayer, to heare Diuine Seruice, but ſhall forbeare the ſame by the ſpace of one Moneth together, not hauing a reaſonable excuſe, contrarie to the Lawes and Statutes of this Realme, ſhall forfeit tenne pounds for euery Moneth, that he, ſhe, or they, ſhall ſo relæue, maintaine, retaine, keepe, or harbour any ſuch Seruant, Soiourner, or Straunger, in his, or their houſe, ſo forbearing, as aforeſaid, And euery perſon which ſhal within the time aforeſaid, retaine, or keepe in his, her, or their ſeruice, fee, or liuerie, any perſon or perſons which ſhall not go to, or repaire to ſome Church, Chappell, or vſuall place of Common Prayer, to heare Diuine Seruice, but ſhall forbeare the ſame by the ſpace of one Moneth together, ſhall forfeit for euery Moneth, hee, ſhee, or they ſhall ſo retaine, keepe, or continue in his, her, or their ſeruice, fee, or liuerie, any ſuch perſon or perſons, ſo forbearing, as aforeſaid, knowing the ſame, x. pounds, The ſame penalties to be recouered and imployed in maner and forme hereafter following. Prouided neuertheleſſe, that this Act, ſhall not in any wiſe extend to puniſh or impeach any perſon or perſons for maintaining, retaining, relieuing, keeping, or harbouring his, her, or their Father, or Mother, wanting, without fraud or couyn, other habitation or ſufficient maintenance, or the Ward of any ſuch perſon, or any perſon that ſhall be committed by authoritie to the cuſtodie of any by whom they ſhall be ſo relieued, maintained, or kept: Any thing in this Act contained to the contrarie notwithſtanding. 3. Iac. 4.

Keeping a Recuſant in his houſe.

Retayning a Recuſant.

52 Vpon any lawfull Writ, Warrant, or Proces, awarded to any Shirife, or other Officer, for the taking, or apprehending of any Popiſh Recuſant, ſtanding Excommunicated for ſuch Recuſancie, it ſhall be lawfull for ſuch Shirife, or other Officer, authorized in that behalfe if need bee, to breake open any houſe wherein ſuch perſon Excommunicat ſhall be, or to raiſe the power of the Countie, for the apprehending of ſuch perſon, and the better execution of ſuch Warrant, Writ, or Proces. 3. Iac. 4.

The Shirife may apprehend a perſon Excommunicat.

What Juſt. ſhall inquire of offendors.

53 All and euery offence to be committed or done againſt this preſent Act, ſhall and may be inquired of, heard, and determined, before the Juſtices of the Kings Bench, Juſtices of Aſſiſe and Gaole deliuerie, in their ſeuerall Aſſiſes, and Gaole deliueries. And all offences other then Treaſon, ſhall be inquired, heard, and determined, before the Juſt. of P. in their generall or quarter Seſſions to be holden within the Shire, Diuiſion, Limit, or Libertie, wherein ſuch offence ſhall happen. 3. Iac. 4.

The attainder of Felony no corruption of blood, nor loſſe of dower.

54 Prouided alwaies, that any Attainder of Felony, made felonie by this Act, as is aforeſaid, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, or be any barre for the recouerie of the ſame, nor ſhall make, or worke any corruption of blood, or diſheriſon of any the heire or heires of any ſuch perſon or perſons ſo attainted: This Act, or any thing therein contained to the contrarie in any wiſe notwithſtanding. 3. Iac. 4.

Plea in a ſuit for any fact done by force of this Statut

55 If any Action or Actions, ſhall at any time hereafter be commenced or brought againſt any perſon or perſons, doing, committing, or commaunding any act or thing, for, or concerning the execution of this preſent Statute, or any article or clauſe therein contained, Then euery defendant in ſuch action and actions, may plead the generall iſſue, & be receiued to maintaine the ſame by any euidence that ſhall preiue his doings and proceedings warrantable by this law. 3. Iac. 4.

Eccleſiaſticall iuriſdiction reſerued.

56 This Act, nor any thing therein contained, ſhall extend to take away or abridge the authoritie or iuriſdiction of the Eccleſiaſticall Cenſures for any cauſe, or matter, But the Commiſſioners of his Maieſtie, his Heires and Succeſſors, in cauſes Eccleſiaſticall for the time being, and the Archbiſhops, Biſhops, and other Eccleſiaſticall Judges, may do, and proceed, as before the making of this Act they lawfully did or might haue done: Any thing in this Act to the contrary in any wiſe notwithſtanding. 3. Iac. 4.

Penaltie for the wiues offence.

57 No perſon ſhall be charged or chargeable with any penaltie or forfeiture by force of this Act, which ſhall happen for his wiues offence, in not receiuing the ſaid Sacrament, during her Marriage, nor any woman ſhall be charged or chargeable with any penaltie or forfeiture by force of this Act, for any ſuch offence of not receiuing, which ſhall happen during her marriage. 3. Iac. 4.

Taking the Oath of a Noble man.

58 In all cauſes where any Biſhop, or Juſtices of the Peace, may by force of this Act require and take of any Subiect the Oath aboue mentioned, the Lords of the Priuie Councell for the time being, or any fiue of them, whereof the Lord Chauncellor, Lord Treaſorer, or the principall Secretarie, for the time, to be one, ſhall haue full power and authoritie, by force of this Act, at any time or times, to require and take the ſaid Oathes before mentioned, of any Noble man, or Noble woman (then being aboue the age of eighteene yeares.) And if any ſuch Noble man, or Noble woman (other then women married) ſhal refuſe to take ſuch Oath or Oathes, in euery ſuch caſe, ſuch Noble man, and Noble women, ſhall incurre the paine and danger of a Præmunire. 3. Iac. 4.

Paſſing out of the Cinque Ports.

59 Where any perſon or perſons ſhall go or paſſe out of the Cinque Ports, or any member thereof, to any parts beyond the Seas, to ſerue any forraine Prince, State, or Potentate, in euery ſuch caſe the Lord Warden of the Cinque Ports for the time being, or any perſon by him in that behalfe appointed, or to be appointed, ſhall haue full power and authoritie by vertue hereof to take the bond, and miniſter the Oath to ſuch Paſſengers, as is aboue mentioned. 3. Iac. 4.

The reward of the diſcouerer of an offēce

60 Such perſon as ſhall firſt diſcouer to any Juſtice of Peace, any Recuſant, or other perſon, which ſhall entertaine or relieue any Jeſuit, Seminarie, or Popiſh Prieſt, or ſhal diſcouer any Maſſe to haue bēn ſaid, & the perſons that were preſent

at

at ſuch Maſſe, and the Prieſt that ſaid the ſame, or any of them, within three daies next after the offence committed, and that by reaſon of ſuch diſcouery, any of the ſaid offendors be taken and conuicted or attainted, Then the perſon which hath made ſuch diſcouerie, ſhal not only be freed from the danger and penaltie of any law for ſuch offence, if he be an offendor therein, but alſo ſhall haue the third part of the forfeiture of all ſuch ſummes of money, goods, chattels, & debts, which ſhalbe forfeited by ſuch offence (ſo as the ſame totall forfeiture exceed not the ſumme of 150. l. and if it exceed the ſumme of 150. l. the ſaid perſon ſo diſcouering the ſaid offence, ſhall haue the ſumme of 50. l. onely for euery ſuch diſcouerie:) And ſuch perſon ſo diſcouering the ſame, after conuiction of the offendor, ſhall haue a certificat from the Iudges or Iuſtices of P. before whom ſuch conuiction ſhall happen to be, directed to the Sherife or other Officer of the County, Limit, or place, that ſhal ſeize the goods, or leuie the ſaid forfeiture, commanding the ſaid Sherife or other Officer to pay the ſame accordingly to him that ſo diſcouered the ſame, out of the moneyes to be leuied by vertue of the ſaid forfeitures, which warrant and payment ſhall be effectuall in the law for that purpoſe, and a ſufficient diſcharge in that behalfe for the Sherife or other Officer vpon his account. 3. Iac. 5.

61 No Popiſh Recuſant conuicted, or to be conuicted, ſhall come into the Court or houſe where the K. Maieſtie or his heire apparant to the Crowne of England ſhall be, vnleſſe he be commanded ſo to do by the Kings Maieſtie, his heires or ſucceſſors, or by warrant in writing from the Lords and others of the moſt Honourable priuie Counſell of the K. Maieſtie, his heires and ſucceſſors, or any of them, vpon paine to forfeit for euerie time ſo offending 100. l. the one moitie to the K. Maieſtie, his heires and ſucceſſors, the other moitie to him that wil diſcouer and ſue for the ſame by A. B. P. or I. in any of his Maieſties Courts of Record, wherein no E. P. W. &c. 3. Iac. 5. A Recuſant ſhal not come to the Court.

62 All Popiſh Recuſants indicted or conuicted, and all other perſons which haue not repaired to ſome vſuall Church or Chappell, and there heard diuine ſeruice, but haue forborne the ſame by the ſpace of 3. moneths laſt paſt, contrary to the Laws and Statutes of this Realme, dwelling, abiding, or remaining within the Citie of London or the Liberties thereof, or within 10. myles of the ſaid Citie, ſhall within 3. moneths next after the end of this Seſſion of Parliament, depart from the ſaid City of London, and 10. myles compaſſe of the ſame, and alſo ſhall deliuer vp their names to the Lord Mayor of London, in caſe ſuch Recuſant do dwell or remaine within the ſaid Citie of London, or the Liberties thereof: And in caſe the ſaid Recuſant ſhall dwell or remaine in any other Countie within 10. myles of the ſame Citie, then the ſaid Recuſant ſhall deliuer vp his or her name to the next Iuſtice of peace within ſuch County where the ſaid Recuſant ſhall ſo dwell or remaine; within 40. dayes after the end of this Seſſion of Parliament, vpon paine, that euery perſon offending herein, ſhall forfeit to our Soueraigne Lord the Kings Maieſty, his heires and ſucceſſors, the ſumme of 100. l. the one moitie whereof ſhall be to the Kings Maieſtie, his heires and ſucceſſors, the other moitie to him or them that will ſue for the ſame by A. B. P. or I. in any of the Kings Maieſties Courts of Record, wherein no E. P. W. &c. And all Popiſh Recuſants which ſhall hereafter come, dwell, or remaine within the ſaid Citie of London or the Liberties thereof, or within 10. myles of the ſaid Citie, which now are, or hereafter ſhall be indicted or conuicted of ſuch Recuſancie, or which ſhall at any time hereafter not repaire to ſome vſuall Church or Chappell, and there heare diuine ſeruice, but ſhall forbeare the ſame by the ſpace of 3. moneths, contrary to the Laws and Statutes of this Realme, ſhall within 10. dayes after ſuch Indictment or Conuiction, depart from the ſaid City of London, and 10. myles compaſſe of the ſame, and alſo ſhall deliuer vp their names to the Lord Mayor of Recuſants ſhall depart from London.

London for the time being, in caſe ſuch Recuſant ſhall dwell or remaine within the ſayd Citie of London, or the Liberties thereof: And in caſe the ſayd Recuſant ſhall dwell or remaine in any other Countie within tenne miles of the ſame Citie, then the ſaid Recuſant ſhall deliuer vp his or her name to the next Juſtice of peace within ſuch Countie where the ſaid Recuſant ſhall ſo dwell or remaine, within ten dayes next after ſuch Indictment or Conuiction, vpon paine that euerie perſon offending herein, ſhall likewiſe forfeit to our ſayd Soueraigne Lord the Kings Maieſtie, his heires, and ſucceſſors, the like ſumme of 100. pounds, the one moitie whereof ſhall be to the Kings Maieſtie, his heires and ſucceſſors, and the other to him or them that will ſue for the ſame by A.B.P. or I. in any of the K. Maieſties Courts of Record, wherein no E.P.W. &c. Prouided alwayes, that ſuch perſon or perſons as now vſe any Trade, Myſterie, or manuall Occupation within the ſaid citie of London, or within ten miles of the ſame, and ſuch as haue or ſhal haue their onely dwelling within the ſaid Citie, or ten miles compaſſe of the ſame, not hauing any other dwelling or place of abode elſewhere, ſhall or may remaine and continue in ſuch place within the ſaid Citie, or ten miles of the ſame, as they haue dwelled, inhabited, or remained in by the ſpace of three moneths next before this preſent Seſſion of Parliament, Any thing herein contained to the contrarie notwithſtanding. 3. Iac. 5.

Licence to a Recuſant confined to trauel

63 It ſhall and may be lawful for the Kings moſt excellent Maieſtie, his heirs and ſucceſſors, or for three or more of his Maieſties moſt Honourable Priuie Counſell, or for three or more of the Priuie Counſell of his heires or ſucceſſors, in writing vnder the hands of the ſayd Priuie Counſellors, to giue Licence to euerie confined Recuſant to goe and trauell out of the compaſſe of fiue miles, for ſuch time as in the ſaid Licence ſhall bee contained, for their trauelling, attending, and returning, and without any other cauſe to be expreſſed within the ſaid Licence. And if any of the perſons which are ſo confined by vertue of the Statute of 35. Eliz. 2. ſhal haue neceſſarie occaſion or buſineſſe to goe and trauel out of the compaſſe of the ſaid fiue miles, Then, and in euerie ſuch caſe, vpon licence in writing in that behalf to be gotten vnder the hands and ſeals of foure of the Juſtices of peace of the ſame Countie, Limit, Diuiſion, or place next adioyning to the place of abode of ſuch Recuſant, with the priuitie and aſſent in writing of the biſhop of the Dioces, or of the Lieutenant, or of any Deputie Lieutenant of the ſame Conntie, reſiding within the ſayd Countie or Libertie, vnder their hands and ſeales, In euerie of which Licence or Licences in writing ſo to bee had and made, ſhal be ſpecified and contained both the particular cauſe of the ſaid Licence, and the time how long the ſaid partie licenced ſhall bee abſent in trauelling, attending, and returning, it ſhall and may thereupon be lawfull for euerie ſuch perſon ſo licenced, to go and trauell about ſuch their neceſſarie buſineſſe, and for ſuch time onely for their trauelling, attending, and returning, as ſhall be comprized in the ſaid Licence, the ſaid partie ſo licenced firſt taking his corporall othe before the ſaid foure Juſtices of the peace, or any of them (who ſhall haue authoritie by vertue of this Act to miniſter the ſame) that hee hath truely informed them of the cauſe of his iourney, and that he ſhall not make any cauſeleſſe ſtayes. And all and euerie licences hereafter to be made in this behalfe, contrarie to the tenor, effect, and true meaning of this ſtatute, ſhalbe vtterly void, Any thing in the ſaid former Act of 35. El. 2. or in this Act to the contrarie notwithſtanding. And euerie perſon ſo confined, which ſhall depart or go aboue fiue miles from the place, whereunto he is or ſhalbe confined, not hauing ſuch licence, and not hauing taken ſuch othe as aforeſaid, ſhall incurre the paine and penaltie, and forfeit as a Recuſant conuicted, and paſſing or going aboue v. miles from the ſaid place whereunto he is or ſhalbe confined by the ſaid Stat. of 35. El. ſhould do, 3. Iac. 5. S. 35. Eliz. 2. Br. 26. &c.

64 No

64 No Recusant convict, shall at any time after the end of this Session of parliament, practise the Common Law of this Realme, as a Counsellor, Clerke, Atturney, or Sollicitor in the same, nor shall practise the Civil Law, as Advocat, or Proctor, nor practise Phisicke, nor exercise or vse the trade or Art of an Apothecarie, nor shall be Judge, Minister, Clerke, or Steward of or in any Court, or keepe any Court, nor shalbe register, or town-clerke, or other minister or officer in any court, nor shall beare any office or charge, as captaine, lieutenant, corporall, serieant, ensigne-bearer, or other office in campe, troupe, band, or company of Souldiers, nor shalbe captaine, master, gouernor, or beare any office or charge, of, or in any Ship, castle, or fortresse of the K. Maiest. his heires, and successors, but be vtterly disabled for the same: and euery person offending herein, shall also forfeit for euery such offence 100. l. to the K. & I. to be recouered by A. B. P. I. in any of the kings courts of Record, wherein no E. P. W. &c. 3. Iac. 5. A Recusant disabled of certaine offices and functions

65 No Popish Recusant conuict, nor any hauing a wife being a Popish Recusant conuict, shall at any time after the end of this Session of Parliament, or any popish recusant hereafter to be conuict, or hauing a wife which hereafter shalbe a popish recusant conuict, at any time after his or her conuiction, shall exercise any publike office or charge in the commonwealth, but shall be vtterly disabled to exercise the same by himselfe, or by his deputie (except such husband himselfe, and his children which shalbe aboue the age of 9. yeares abiding with him, & his seruants in household, shall once euery moneth at the least, not hauing any reasonable excuse to the contrarie, repaire to some church or chappell, vsuall for diuine seruice, & there heare diuine seruice, and the said husband, and such his children & seruants, as are of meete age, receiue the Sacrament of the Lords Supper, at such times as are limited by the Lawes of this Realme, and do bring vp his said children in true religion.) 3. Iac. 5. Recusants shall haue no publike offices.

66 Euery maried woman being or that shalbe a popish recusant conuict (her husband not standing conuicted of popish recusancie) which shall not conforme her selfe, and remaine conformed, but shall forbeare to repaire to some church, or vsuall place of Common Prayer, & there to heare diuine Seruice and Sermon, if any then be, & within the said yeare receiue the Sacrament of the Lords Supper, according to the lawes of this Realme, by the space of one whole yeare next before the death of her said husband, shall forfeit and lose to the K. Maiestie, his heires and successors, the issues and profits of two parts of her Joynture, and two parts of her dower in three parts to be diuided during her life, of, or out of any the lands, tenements, or hereditaments, which are, or were her said husbands, & also be disabled to be executrix or administratrix of her said husband, and to haue or demand any part or portion of her said late husbands goods or chattels, by any law, custom, or vsage whatsoeuer. 3. Iac. 5. A woman maried Recusant. Executrix. Administratrix.

67 Euery popish recusant, which is or shall be conuicted of Popish Recusancie, shall stand and be reputed to all intents and purposes disabled, as a person lawfully and duely excommunicated, & as if he or she had bin so denounced and excommunicated, according to the lawes of this realme, vntill he or shee so disabled, shal conforme him or her selfe, & come to Church, & heare diuine seruice, & receiue the sacrament of the Lords Supper, according to the Lawes of this Realme, & also take the Oath appointed and prescribed in one other Act made this present Session of Parliament, intituled, An Act for the better discouering and repressing of Popish Recusants. And euery person or persons sued, or to be sued by such person so disabled, shal and may plead the same in disabling of such plaintife, as if he or she were excommunicated by sentence in the Ecclesiasticall court. Prouided neuertheless, That it shall and may be lawfull for any such person so disabled, for and notwithstanding any thing in this law contained, to sue or prosecute any Action or Suit, for A Recusant disabled as excommunicate.

What ſuits a Recuſant may proſecute

for or concerning onely ſuch of his or her lands, tenements, leaſes, rents, annuities, and hereditaments, or for the iſſues and profits thereof, which are not to bee ſeized, or taken into the K. hands, his heires, or ſucceſſors, by force of any law, ſor, or concerning his, or her Recuſancie, or any part thereof. 3. Iac. 5.

The mariage of a Recuſant

68 Euery man being, or which ſhalbe a Popiſh Recuſant conuicted, and who ſhalbe hereafter maried otherwiſe than in ſome open Church or Chappel, & otherwiſe than according to the orders of the Church of England, by a Miniſter lawfully authorized, ſhall be vtterly diſabled & excluded to haue any eſtate of freehold into any the lands, tenements, and hereditaments of his wife as tenant by the courteſie of England: And euery woman being, or which ſhalbe a popiſh recuſant conuicted, & who ſhalbe hereafter maried in other ſorme than is aforeſaid, ſhall be vtterly excluded & diſabled not onely to claime any dower of the inheritance of her huſband, whereof ſhee may be endowable, or any iointure of the lands & hereditaments of her huſband, or any of his anceſtors, but alſo of her widdowes eſtate, & frank-banke in any cuſtomarie lands, whereof her huſband died ſeized, & likewiſe be diſabled and excluded to haue or enioy any part or portiõ of the goods of her ſaid huſband by vertue of any cuſtome of any countie, citie, or place, where the ſame ſhall lie or be. And if any ſuch man ſhalbe maried with any woman, contrarie to ẏ intent and true meaning of this Act, which woman hath, or ſhall haue no lands, tenements, or hereditaments, whereof he may be intituled to be tenant by the curteſie, then ſuch man ſo marying, as aforeſaid, ſhall forfeit 100. l. to the K. and I. to be recouered by A. B. P. or I. in any of the K. courts of Record, wherein no E. P. or W. &c. 3. Iac. 5.

Baptiſme of Recuſants childzen.

69 Euery Popiſh Recuſant, which ſhall hereafter haue any child borne, ſhall within one moneth next after the birth thereof, cauſe the ſame child to be baptized by a lawfull Miniſter, according to the lawes of this realme, in ẏ open Church of the ſaid pariſh where the child ſhalbe borne, or in ſome other Church nere adioyning, or chappel where baptiſme is vſually adminiſtred: Or if by infirmitie of the child it cannot be brought to ſuch place, then the ſame ſhall within ẏ time aforeſaid be baptized by the lawfull miniſter of any of the ſaid pariſhes or places aforeſaid, vpon paine ẏ the father of ſuch child, if he be liuing by the ſpace of one month next after the birth of ſuch child, or if he be dead within the ſaid moneth, thẽ ẏ mother of ſuch child ſhall for euery ſuch offence forf. 100. l. of lawfull money of England, one third part whereof to be to ẏ K. his heires & ſucceſſors, one other third part to ẏ I. or him that will ſue for ẏ ſame, & the other third part to the poore of the ſaid pariſh, to be rec. by A. B. P. or I. wherein no E. P. or W. &c. And if any popiſh recuſant, man or woman, not being excommunicate, ſhall be buried in any place other than in ẏ church or churchyard, or not according to ẏ Eccleſiaſticall laws of this realm, the executors or adminiſtrators of euery ſuch perſon ſo buried, knowing ẏ ſame, or the partie that cauſeth him to be ſo buried, ſhall forf. the ſumme of xx. l. the one third part whereof, ſhalbe to our Soueraigne Lord the K. the other third part to the Informer, or him or them that will ſue for the ſame, the other third part to the poore of the pariſh, where ſuch perſon died, by A. B. P. or I. wherein no E. P. W. &c. 3. Iac. 5.

Buriall of a Recuſant.

Childzen going beyond the Sea.

70 If the childzen of any Subiect within this Realme (the ſaid childzen not being Souldiers, Mariners, Marchants, or their Apprentices or Factors) to preuent their good education in England, or for any other cauſe, ſhal hereafter be ſent or goe beyond Seas, without Licence of the Kings Maieſtie, or ſire of his honourable Priuie Counſell (whereof the principall Secretarie to be one) vnder their hands and Seales, then all and euery ſuch child and childzen ſo ſent, or which ſhall ſo goe beyond the Seas, ſhal take no benefit by any gift, conueyance, diſcent, deuiſe, or otherwiſe, of, or to any Lands, Tenements, Hereditaments, Leaſes, Goods,

Goods, or Chattels, vntill he or they being of the age of 18. yeares or aboue, take the oath mentioned in an Act of Parliament made this preſent Seſſion, entituled, An Act for the better diſcouering and repreſſing of Popiſh Recuſants, before ſome Iuſtice of peace of the Countie, Libertie, or Limit, where ſuch Parents of ſuch children, as ſhall be ſo ſent, did, or ſhall inhabite and dwell. And in the meane time, the nert of his or her kinne, which ſhall be no Popiſh Recuſant, ſhall haue and enioy the ſaid Lands, Tenements, Hereditaments, Leaſes, Goods, & Chattels ſo giuen, conueied, diſcended, or deuiſed, vntill ſuch time as the perſon ſo ſent or gone beyond the Seas, ſhall conforme him or her ſelfe, and take the aforeſaid Oath, and receiue the Sacrament of the Lords Supper. And after ſuch Oath taken, and conforming of himſelfe, and receiuing the Sacrament of the Supper of the Lord, he or they which haue ſo receiued the profites of the ſaid Lands, Tenements, Hereditaments, Goods & Chattels, or any of them, ſhall make account of the profits ſo receiued, and in reaſonable time make payment thereof, & reſtore the value of the ſaid goods to ſuch perſon as ſhall ſo conforme him or her ſelfe, as aforeſaid. And all ſuch perſons as ſhall ſend the ſaid child or children ouer Seas, without Licence, as aforeſaid (vnleſſe the ſaid child or children be Marchants, or their Apprentices or Factors, Mariners, or Souldiers) ſhall forfeit 100. l. to be diuided, paid, and recouered in three equall parts, whereof the one third part ſhall be to the King, his heires, and ſucceſſors, the other third part to ſuch as ſhall ſue for the ſame, and the other third part to the poore of ſuch Pariſh, where ſuch offendor doth inhabite or remaine, by A. P. or I. wherein no E. P. W. &c. 3. Iac. 5. S. Ieſuite &c. 14.

Sending children beyond the Sea.

71 And for that many ſubiects of this Realme, being neither Marchants, nor their Factors, nor Apprentices, Soldiers, nor Mariners, are of late gone beyond the Seas without Licence, and are not as yet returned, Be it enacted, that if any of the ſaid perſons ſo gone beyond the Seas without Licence, which are not yet returned, ſhall not within 6. moneths nert after their returne into this Realme, then being of the age of 18. yeares, or more, take the Oath aboue ſpecified, before ſome Iuſtice of peace of the Countie, Liberty, or Limit where ſuch perſon ſhal inhabite or remaine, then euerie ſuch offendor ſhall take no benefit by any gift, conueiance, diſcent, deuiſe, or otherwiſe, of, or to any Lands, Tenements, Hereditaments, Goods, or Chattels, vntill he or they being of the ſaid age of 18. yeares, or aboue, take the ſaid Oath, & that likewiſe in the meane time the nert of kin to the perſon ſo offending, which ſhall be no Popiſh Recuſant, ſhall haue & enioy the ſaid Lands, Tenements, Hereditaments, Goods, & Chattels, ſo giuen, conueyed, diſcended, or deuiſed, vntill ſuch time as the perſon ſo offending ſhall conforme himſelfe, & take the aforeſaid Oath, & receiue the ſaid Sacrament of the Lords Supper. And after ſuch conforming, taking of the ſaid Oath, & receiuing of the ſaid Sacrament, he or they that ſhall haue ſo receiued the profits of the ſaid lands, tenements, hereditaments, goods, & chattels, ſhall make account of the profits ſo receiued, & in reaſonable time make payment thereof, and of the value of ſuch goods & chattels, to ſuch perſon as ſhal ſo conforme him or her ſelfe, as aforeſaid. 3. Iac. 5.

They which are beyond the Sea, ſhall returne.

72 Euery perſon or perſons that is or ſhall be a Popiſh Recuſant conuict, during the time that he ſhall be or remaine a Recuſant, ſhall from and after the end of this preſent Seſſion of Parliament, be vtterly diſabled to preſent to any benefice with cure, or without cure, Prebend, or any other Eccleſiaſticall liuing, or to collate or nominate to any Free Schoole, Hoſpitall, or Donatiue whatſoeuer, & from the beginning of this preſent Seſſion of Parliament, ſhall likewiſe be diſabled to graunt any auoidance to any benefice, prebend, or other Eccleſiaſticall liuing, And the Chauncellor & Schollers of the Vniuerſitie of Oxford, ſo often as any of them ſhal be void, ſhall haue the preſentation, nomination, collation, & donation of & to euery

No Recuſant ſhall preſent to a Benefice, nor graunt an Aduowſon.

euery such benefice prebend, or Ecclesiasticall liuing, schole, hospital, & donatiue, set, lying, and being in the counties of Oxford, Kent, Middlesex, Sussex, Surrey, Hampshire, Barkshire, Buckinghamshire, Glocestershire, Worcestershire, Staffordshire, Warwickeshire, Wiltshire, Somersetshire, Deuonshire, Cornewall, Dorsetshire, Herefordshire, Northamptonshire, Pembrokeshire, Carmarthēshire, Brecknockshire, Monmouthshire, Cardiganshire, Mountgomeryshire, the citie of London, & in euerie city & towne, being a Countie of it selfe, lying & being within any of the limits or precincts of any of the Counties aforesaid, or in or within any of them, as shall happen to be void, during such time as the patron thereof shal be & remaine a Recusant conuict, as aforesaid. And the Chauncellor & schollers of the Vniuersitie of Cambridge shall haue the presentation, nomination, collation, and donation of & to euery such benefice, prebend, or Ecclesiasticall liuing, schole, hospitall, & donatiue, set lying & being in the Counties of Essex, Hartfordshire, Bedfordshire, Cambridgeshire, Huntingtonshire, Suffolke, Norffolk, Lincolnshire, Rutlandshire, Leicestershire, Derbyshire, Nottinghamshire, Shropshire, Cheshire, Lancashire, Yorkshire, the County of Durham, Northumberland Cumberland, Westmerland, Radnorshire, Denbighshire, Flintshire, Carnaruanshire, Angleseyshire, Merionethshire, Glamorganshire, & in euery citie & towne, being a county of it selfe, lying within any of the limits or precincts of any of the counties last before mentioned, or in or within any of them, as shal happen to be void, during such time as the patron therof shalbe & remaine a Recusant conuict, as is aforesaid. Prouided, that neither of the said Chancellors & Schollers of either the said Vniuersities, shall present or nominate to any benefice with cure, Prebend, or other Ecclesiasticall liuing, any such person, as shall then haue any other benefice with cure of soules. And if any such presentation or nomination shall be had or made of any such person so beneficed, the said presentation or nomination shall be vtterly void, Any thing in this Act to the contrary notwithstanding. 3. Iac. 5.

A Recusant shall not be executor, administrator, or Gardian.

73 Recusants conuicted, or which shall be conuicted at the time of the death of any testator, or at the time of the granting of any Administration, shall be disabled to be executor or administrator by force of any Testament hereafter to be made, or letters of Administration hereafter to be granted, nor shall haue the custody of any child as Gardian in Chiualry, Gardian in socage, or Gardian in nurture, of any lands, tenements, or hereditaments, being freehold or copyhold, but shall be adiudged disabled to haue any such wardship, or custodie of any such child, or of their lands, tenements, or hereditaments, being freehold or copyhold, as aforesaid. And that for the better education & preseruation of the said children & of their estates, the next of the kin to such child or children, to whom the said lands, tenements, or hereditaments of such child or children cannot lawfully discend, who shall vsually resort to some church or chappell, & there heare diuine seruice, & receiue the holy sacrament of the Lords Supper thrice in the yere next before, according to the laws of this realm, shall haue the custody & education of the same child, & of his said lands & tenements being holden in Knights seruice, vntill the full age of the said ward of 21. yeres, And of his said lands, tenements, & hereditaments, being holden in socage, as a Gardian in socage, And of the said lands, tenements, & hereditaments holden by copie of Court-roll of any Manor, so long as the custome of the said Manor shall permit & allow the same, & in euery of the said cases shall yeld an account of the profits thereof to the said ward, as the case shall require. And if at any time hereafter, any of the wards of the K. Maiesty, or of any other, shalbe graunted or sold to any popish Recusant conuict, such grant or sale shalbe vtterly void. 3. Iac. 5.

Popish bookes.

74 No person or persons shall bring from beyond the seas, nor shall print, sell, or buy any popish Primers, Ladies Psalters, Manuels, Rosaries, Popish Catechismes, Missals, Breuiaries, Portals, Legends & liues of Saints containing superfti-

perſtitious matter, printed or written in any language whatſoeuer, nor any other ſuperſtitious bookes printed or written in the Engliſh tongue, vpon paine of forf. of 40.s. for euery ſuch booke: One third part thereof to be to the K. Maieſtie, his heires, and ſucceſſors, one other third part to him that will ſue for the ſame, and ẏ other third part to the poore of the pariſh, where ſuch booke or bookes ſhall be found, to be recouered by A.B. P. or I. wherein no C. P. W. &c. And the ſaid bookes to be burned: And it ſhall be lawfull for any two Iuſt. of P. within the limits of their iuriſdiction, or authoritie, and to all mayors, bailifes, and chiefe officers of cities & townes corporat in their liberties, from time to time, to ſearch the houſes and lodgings of euery popiſh recuſant conuict, or of euery perſon, whoſe wife is or ſhall be a popiſh recuſant conuict, for popiſh bookes, and reliques of poperie: And if any altar, pix, beads, pictures, or ſuch like popiſh reliques, or any Popiſh booke or booke ſhall be found in their or any of their cuſtodie, as in the opinion of the ſaid Iuſtices, Mayor, baylife, or chiefe officer, as aforeſaid, ſhall be thought vnmeet for ſuch recuſant, to haue or vſe, the ſame ſhal be preſently defaced and burned, if it be meet to be burned: And if it be a crucifixe or other relique of any price, the ſame to be defaced at the generall quarter Seſſions of the peace, in the Countie where the ſame ſhall be found, and the ſame ſo defaced, to be reſtored to the owner againe. 3. Iac. 5.

Recuſants houſes ſearched.

Popiſh reliques defaced

75 All ſuch Armour, Gunpowder, and Munition, of whatſoeuer kinds, as any popiſh recuſant conuict within this Realme of England, hath or ſhall haue in his houſe or houſes, or elſewhere, or in the hands or poſſeſſion of any other at his or their diſpoſition, ſhalbe taken from ſuch popiſh recuſants, or others, which haue or ſhall haue the ſame, to the vſe of ſuch popiſh recuſant, by warrant of 4. Iuſtices of P. at their generall or quarter Seſſions to be holden in the ſame countie where ſuch popiſh recuſant ſhall be reſident (other than ſuch neceſſarie weapons, as ſhal be thought fit by the ſaid 4. Iuſtices of peace, to remaine & bee allowed for the defence of the perſon or perſons of ſuch recuſants, or for the defence of his, her, or their houſe or houſes) and the ſaid armour and munition ſo taken, ſhall bee kept & maintained at the coſts of ſuch recuſants, in ſuch places, as the ſaid 4. Iuſtices of Peace at their ſaid Seſſions of the Peace ſhall ſet downe and appoint. If any ſuch Recuſant, hauing, or which ſhall haue any ſuch armour, gunpowder, and munition, or any of them, or if any other perſon or perſons, which ſhall haue any ſuch armour, gunpowder, and munition, or any of them, to the vſe of any ſuch recuſant, ſhal refuſe to declare or manifeſt vnto the ſaid Iuſt. of P. or any of them, what armour, he, ſhee, or they haue, or ſhall haue, or ſhall let, hinder, or diſturbe the deliuery thereof, to any of the ſaid Iuſtices, or to any other perſon authorized by their warrant to take & ſeize the ſame, then euery ſuch perſon ſo offending, contrarie to this Stat. in this behalfe, ſhall forf. and loſe to the K. Maieſtie, his heirs, & ſucceſſors, his & their ſaid armor, &c. and ſhall alſo be impriſoned by warrant of or from any Iuſt of p. of ſuch countie, by the ſpace of three months, without baile or mainprize. And yet neuertheles, notwithſtanding the taking away of ſuch armour, &c. the ſaid popiſh recuſant ſhalbe charged with the maintaining of the ſame, & with the buying, prouiding, & maintaining of horſe, & other armour & munition, in ſuch ſort, as other his Maieſt. ſubiects from time to time ſhall bee appointed and commaunded, according to their ſeuerall abilities & qualities, & the ſaid armour & munition at the charge of ſuch popiſh recuſant for them, and as their owne prouiſion of armor and munition, ſhalbe ſhewed at euery Muſter, ſhew, or vſe of armor, to be had or made within the ſaid Countie. 3. Iac. 5.

Recuſants armour.

76 Prouided alwaies, that neither this Act, nor any thing therein contained, ſhal ertẽd to take away or abridge the authority or iuriſdiction of the Eccleſiaſtical cẽſures, for any cauſe or matter, but ẏ the Cõmiſſioners of his Maieſtie, his heirs & ſucceſſors in cauſes Eccleſiaſtical for ẏ time being, archbiſhops, biſhops, & other eccleſi-

Eccleſiaſtical iuriſdiction.

ecclesiasticall Iudges may do, and proceed, as before the making of this Act they lawfully did or might haue done, any thing in this act to the contrary notwithstãding. 3. Iac. 5.

1 The penalty of such Recusants that do refuse to pay their first fruits or tenths. S. Eccleſiaſt. 24. 29.

2 Which Iustices may enquire of Recusants. S. Iust. of Peace 9.

Redisseisin.

Who shall maintaine a writ of Redisseisin.

IF any man be disseised of his freehold, & doth recouer his seisin before the Iust. in Eire, by Assise of Nouel diss. or by cõfession of him which did the disseisin, & hath seisin deliuered vnto him by the sherife, if the same disseisors, after the departure of the Iustices, or in the meane time do disseise ỳ same plaintife of the same freehold, & therof be conuict, they shalbe take & kept in the K. prison, vntill the K. hath discharged thẽ by fine or some other meane. The same remedy shal they haue which do recouer their seisin by Assise of Mortdancester. And the same remedy is of all lands & tenements recouered in the K. court by Iuries, if they be after disseised by the first deforceors, against whõ in any manner they haue recouered by Iuries. Mertõ 20. H. 3. 3. And they shal haue remedy by writ of Redisseisin which haue recouered by default, reddition, or in any other maner, without recognition of assises or Iuries, W. 2. 13. E. 1. 26. Tenant by Elegit shall haue a writ of Redisseisin, W. 2. 13. E. 1. 18. and so shall tenant by stat. Marchant. 13. E. 1. de Mercatoribus.

The cause & effect of the writ of Redisseisin.

2 When the plaintife cõmeth into the court, he shall haue the K. writ directed to the sherife, wherein shalbe cõtained his declaration of disseisin done vpon disseisin. And the sherife shalbe cõmanded, ỳ he (taking with him the Coroners, & other lawful knights) shal go in his own person to the tenemẽt or pasture whereof the plaint is made, & that he shall make before thẽ diligent inquirie by the first Iurors & other neighbors & lawful men of the vicenage thereof, & if they find him disseised againe, thẽ they shall do according as is aforesaid. And if it be otherwise foũd, the plaintife shalbe amerced, & the other shall goe quit, but the sherife shall not execute any such plaint without the K. commandement. Merton 20. H. 3. 3.

The punishment for Redisseisin.

3 In writs of Redisseisin double damages shalbe awarded, & they which be take for Redisseisin, be not repleuisable by a cõmon writ, nor shall be deliuered without the K. special cõmandemẽt, & that vpon a fine to be made to the K. for the offence, & if the sherife do deliuer them in any other sort, he shalbe grieuously amerced, & they for their offence greatly punished. Marl. 52. H. 3. 8. W. 2. 13. E. 1. 26.

1 Writs of Redisseisin shalbe inrolled and sent yearely vnto the Exchequer. S. Admeasurement 2.

Reliefe.

The relief of an Earle, baron, & knights heire.

IF any Earle, Baron, or other of the K. tenants, which holdeth of his grace in capite by Knights seruice, do die, & at the time of his death, his heire of full age, and oweth vnto the K. relief, he shal haue his inheritance for the ancient relief, That is to say, the heire or heires of an Earle for a whole Earledome 100. ℔. The heire or heirs of a Baron, for a whole Baronie, 100. marks, the heire or heirs of a knight, for a whole knights fee, 100. s. at the most, & he that hath lesse shall giue lesse, according to the auncient customs of fees. Mag. Chart. 9. H. 3. 2.

1 An heire which hath beene in ward, shall haue his inheritance without paying relief. S. Wards 3.

2 The heire of full age at the death of his auncestor, shall only pay relief to his Lord. S. Wards 9.

Rents.

THe Executors and Administrators of euery tenant in fée simple, tenant in fée taile, & tenant for terme of life, of rent seruice, rent charge, and fée fermes, vnto whom any such rent or fée ferme is or shall be due, and not paied at the time of his death, shall and may haue an action of debt for all such arrerages against the tenant or tenants that ought to haue paid the same rent or fée fermes so being behind, in the life of their testator, or against the executors and administrators of the said tenants. And also furthermore it shalbe lawfull to euery such executor and administrator of any such person or persons, vnto whom such rent or fée ferme shall be due, and not paid at the time of his death, as is aforesaid, to distraine for the arrerages of all such rents and fée fermes, vpon the lands, tenements, and other hereditaments, which were charged with the payment of such rents or fée fermes, and chargeable to the distresse of the said testator, so long as the said lands &c. continue, remaine, and be in the seisin or possession of the said tenant in demesne, who ought immediatly to haue paid the said rent or fée ferme so being behind, to the said testator in his life, or in the seisin or possession of any other person or persons claiming the said lands &c. onely by and from the same tenant by purchase, gift, or discent, in like manner and forme as their said testator mought or ought to haue done in his life time, and the said executors and administrators, shal for the same distresse lawfully make auowrie, vpon their matter aforesaid. A remedie for the executors, for rents due to their testator.

But this act shall not extend to any such manor, lordship, or dominion in Wales, or in the Marches of the same, whereof the inhabitants haue vsed time out of the mind of man, to pay vnto euery Lord, or owner of such Lordship, Manor, or dominion, at his first entry into the same, any summe or summes of money for the redemption & discharge of all duties, forfeitures, & penalties, wherewith the said inhabitants were chargeable to any of their said Lords ancestors or predecessors, before his said entry. 32. H. 8. 37. Redemption of money in wales.

2 If any man hauing in the right of his wife any estate in fée simple, fée taile, or for terme of life, of, or in any rents, or fée fermes, & the same rents or fée fermes shal be due and vnpaid in the said wiues life, thē the said husband after the death of his said wife, his executors and administrators, shall haue an action of debt for the said arrerages against the tenant of the demesne that ought to haue paid the same, his executors or administrators. And also the said husband after the death of his said wife, may distraine for the arrerages, in like manner and forme as he might haue done, if his said wife had bin thē liuing, & make auowry vpon his matter, as aforesaid. 32. H. 8. 37. The husbads remedie for rent due in the life of his wife

3 If any person or persons which shall haue any rents or fée fermes for terme of life or liues of any other person or persons, and the said rent or fée ferme shall be due behind, & vnpaid in the life of such person or persons, for whose life or liues the estate of the said rent or fée ferme did depend or continue, and after the said person or persons doe die, then he vnto whom the said rent or fée ferme was due, in forme aforesaid, his executors and administrators, shall and may haue an action of debt against the tenant in demesne that ought to haue paied the same when it was first due, his executors and administrators, And also distraine for the same arrerages vpon such lands and tenements, out of the which the said rents or fée fermes were issuing and paiable, in such like manner and forme, as he ought or might haue done, if such person or persons (by whose death the aforesaid estate in the said rents and fée fermes was determined) had bin in full life and not dead, And the auowris for the taking of the same distresse shalbe made in maner and forme aforesaid. 32. H. 8. 37. The remedie for a rent the estate whereof dependeth vpon anothers life being dead

1 Aſſiſe of rent iſſuing forth of tenements in ſeuerall Counties, ſhalbe holden in the borders of the ſame Counties. S. Aſſiſe 7.

2 How meſne Lords ſhalbe anſwered their chiefe rents due to them during the minoritie of the Kings ward. S. Wards 17.

Remouing of priſoners, or Records.

A writ to remoue priſoners or tetzds.

NO Writs of Habeas corpus, or Cerciorari, ſhall be graunted to remoue any priſoner out of any Gaole, or to remoue any Recogniſance, except the ſame writs be ſigned with the proper hands of the chiefe Iuſtice, or in his abſence of one of the Iuſtices of the Court, out of the which the ſame writs ſhall be awarded or made, vpon paine that he that writeth any ſuch writs, not beeing ſigned as is aforeſaid, to forfeit to the Quæne for euery ſuch writ fiue pounds. 1. & 2. Ph. & Ma. 13.

Remauding of priſoners out of the K. bench into the Countrie to be tried.

2 The Iuſtices of the Kings Bench (for the time beeing) haue authoritie by their diſcretions, to remaund and ſend downe as well the bodies of all felons and murderers remoued or brought before the King in his bench, as their indictmẽts, into the Counties wheras the ſame murders or felonies haue bin committed and done, and to commaund all Iuſtices of gaole deliuerie, Iuſtices of peace, and all other Iuſtices and Commiſſioners, and euery of them, to proceed & determine vpõ all the aforeſaid bodies & indictments ſo remoued, after the courſe of the common law, in ſuch manner, as the ſame Iuſtices of gaole deliuerie, Iuſtices of peace, and other commiſſioners, or any of them, mought or ſhould haue done, if the ſaid priſoners or indictments had neuer bin brought into the ſaid K. Bench. Anno 6. H. 8. 6.

Remouing a ſuit out of a towne corporat

3 No Writ or Writs of Habeas corpus, or any other Writ or Writs ſued forth, or to be ſued forth, by any perſon or perſons whatſoeuer, out of any of her Maieſties Courts of Record at Weſtminſter, to remoue any Action, ſuit, plaint, or cauſe, depending, or to be depending, in any Court, or Courts, within any city, or towne Corporat, or elſewhere, which haue or ſhall haue Iuriſdiction, power, or authoritie, to hold plea in any action, plaint, or ſuite, ſhall be receiued or allowed by the Iudge, or Iudges, or Officer, or Officers, of the Court, or Courts, wherein, or to whom any ſuch Writ or Writs ſhall be deliuered, but hee and they ſhall & may proceed in the ſaid cauſe and cauſes, readie to be tried, as though no ſuch Writ or Writs were ſued forth or deliuered to him, or them: Except that the ſaid Writ or Writs be deliuered to the Iudge, or Iudges, Officer, or officers of the ſaid court, before that the Iurie, which is to trie the cauſe in queſtion betweene the partie or parties plaintifes, and the partie or parties that ſued forth the ſaid writ, or writs, or for whoſe benefit the ſaid writ or writs is or ſhalbe ſued forth, haue appeared, and one of the ſaid Iurie ſworne to trie the ſaid cauſe. 43. El. 5. 1. Iac. 5. To continue vntill the end of the firſt Seſſion of the nert Parliament.

1 Where the bodie of one in execution beeing remooued by Corpus cum cauſa, ſhall be remaunded. S. Corpus &c. 1.

2 For the remooving of a Repleg. out of the Countie by Recordare. S. Repleuin 2.

Repleuin.

IF any mans cattell be taken, and wrongfully withholden, the Sheriffe after complaint to him made, may deliuer them, without any let or contradiction of him that toke the cattell, if they were taken out of liberties, and if the cattell were taken within any liberties, and the baylifes of the liberties will not deliuer them, then the Sherife for default of those baylifes, shal cause them to be deliuered. Marl. 52.H.3.21. Who shall repleny a distres.

2 If any Lords doe distraine their tenants for any seruices or customes being due vnto them, and the tenants doe repleuie the distresse by writ, or without writ, and the Lords (at the complaint of the tenants) doe by attachment come to the Countie, or other Court, hauing power to hold plea De vetito namio, and doe auow their distresse reasonable and iust, if the tenants do disauow to hold, or doe claime to hold nothing of him which toke the distresse, if such lords in the County or other Courts cannot obtaine iustice of their tenants, but shall be amerced, and their tenants discharged, for that they cannot be punished for the same disauowing by record of that County, or other Courts, hauing no record: as sone as they shall be attached at their tenants suit, a writ shalbe graunted vnto them to remoue the suit before the Justices before whom (and not elsewhere) iustice shall be ministred to such Lords, and the cause shall be declared in the writ (because such a man hath distrained in his fee for seruices and customes due vnto him) yet this statute is no derogation to the law commonly vsed, which doth not suffer any plea to be remoued before the Justices, at the suit of the defendant. For though at the first shew the tenant seemeth to be plaintife, and the Lord defendant, yet hauing respect to that the Lord doth distraine and sue for his seruices and customes behind, he shall rather appeare plaintife then defendant. Westm 2.13.Ed.1.2. Recordare.

3 Least that after the tenant hath repleuied his beasts, he should sell them, or driue them farre off, whereby the Lord which distraineth cannot haue returne if it be adiudged for him, the Sherife or his Bailifes shall not take of the plaintifes pledges onely to prosecute their suit before they make deliuerance of their beasts, but also to returne them, if returne be awarded. And if any do take pledges in other sort, he shall answere the price of his cattell, and the Lord which distraineth shall haue his recouerie by writ, that he shall deliuer him so many beasts or cattel, and if the Bailife haue not wherewith to satisfie, his Lord shall pay it. West.2.13. Ed.1.2.S. Second Deliuerance. Pledges to prosecute the suit, and to make returne.

4 If the Lord of Courts, or other Court holders or Stewardes willing to trouble those which be in subiection vnto them, hauing no lawfull cause or meanes to grieue them, will procure others to commence suits against them, and do giue gages, offer pledges, or purchase writs, and at the suits of such plaintifes wil cause them to resort vnto the Countie, Hundred, Wapentake, and other Courts, vntill they haue paied them a fine, according to their owne request, which is not lawfull to bee done: Therefore in this cas, if any man be attached by any such false complaints, he shall Repleuie his Distresse so taken, and remoue the Suit before the Justices, before whom if the Sherife, or any other Baylife or Lord (after the partie so distrained hath framed his complaint) will auow the distres iust by reason of any such complaints before them made: And if it be replied, that the complaints were maliciously moued against them, at the instance or procurement of the Sherife or other Bailife or Lords, the replication shall be admitted, and if they be thereupon conuicted, they shall paie a grieuous amerciament to the King, and answere to the partie grieued treble dammages. Westm 2.13.Edw.1.37. S. Auowrie. A distresse taken vpon a suit commenced by the procurement of others.

1 How many Deputies euery Sherife ſhal ordain to make Repleuies, & where. S. Sherifes 22.

2 Where the Sherife ſhall direct his Precept to the Bailife of a libertie, & where he himſelfe ſhall Repleuie a diſtreſſe. S. Sherifes 30.

3 In what caſe an accomptant is not repleuiſable. S. Accompt 2.

Reſtitution.

Reſtitution of ſtollen goods, after the attainder of the felon.

IF any Felon or Felons doe robbe or take away any money, goods, or cattels, from any of the Kings ſubiects, from their perſon, or otherwiſe within this Realme, and thereof be indicted, and after be arraigned of the ſame felonie, and found guiltie thereof, or otherwiſe attainted by reaſon of euidence giuen by the partie ſo robbed, or owner of the ſaid money, goods, or cattels, or by any other by their procurement, then the partie ſo robbed or owner ſhalbe reſtored to his ſaid money, goods, and cattels. And aſwell the Iuſtices of gaole deliuerie, as other Iuſtices before whom any ſuch felon or felons ſhalbe found guiltie, or otherwiſe attainted be reaſon of euidence giuen by the parties ſo robbed, or owner, or by any other by their procurement, haue power to award from time to time, writs of Reſtitution for the ſaid money, goods, and cattels, in like manner, as though any ſuch Felon or Felons were attainted at the ſuit of the partie in appeale. 21. H. 8. 11.

Returne of Sherifes.

The manner how writs ſhall be deliuered to be executed.

THey which doe feare the indirect dealing of Sherifes, may deliuer their originall and iudiciall Writs in the open Countie, or in ſome other places of the Shire, where collection of the Kings money is made, and may take a Bill of the Sherife or Vndерſherife, being preſent, in which ſhall be contained the names of the demaundants and tenants named in the Writ, and vpon his requeſt which deliuered the Writ, the Sherife or Vnderſherifes ſeale ſhall be put to the bill for a witneſſe (without any thing taking therefore. 2. Ed. 3. 5.) And mention ſhall be made of the day of the deliuerance of the writ. And if the Sherife or Vnderſherife will not put his ſeale to the ſame Bill, witneſſe ſhall be taken of Knights and other credible perſons which be preſent, the which ſhall put their ſeales to the ſame bill, and if the Sherife will not returne Writs deliuered vnto him, and thereupon complaint be made to the Iuſtices, a iudiciall Writ ſhall be directed to the Iuſtices of Aſſiſe, that they ſhall enquire by thoſe that were preſent when the Writ was deliuered vnto the Sherife, if they know of the deliuerance, which Inquiſition ſhall be returned. And if it be found thereby, that the writ was deliuered vnto him, dammages ſhall bee awarded to the plaintife or demaundant, hauing reſpect to the quantitie and qualitie of the action, and to the perill which might haue chaunced vnto him by the delay which he ſuffered (And alſo the Iuſtices of aſſiſe haue power to enquire thereof at euery mans complaint, and to award dammages vt ſupra &c. 2. Ed. 3. 5.) And by this meane remedie ſhall bee had, when the Sherife doth returne, that the writ came too late, whereby hee could not execute the Kings commaundement. Weſtminſt. 2. 13. Edw. 1. 39. And ſuch execution ſhall be done of them that make falſe returnes of writs, whereby right is deferred, with the like paines. 28. Ed. 1. 16. S. Sherifes 10. That euery Sherife ſhall make a Deputie in the Chaumcerie, Kings Bench, Common place, and Exchequer, to receiue all writs and warrants to be deliuered vnto them.

Deputies to receiue writs.

2 If the Sherife doe returne, that he hath commaunded the Bailifes of ſome libertie,

liberty, which did nothing therein (where indeed there is no such liberty within that County, which euer had returne of writs) then the Sherife shalbe punished as a disinheritor of the K. and his crowne. West. 2. 13. Ed. 1. 39.

Precept directed to the bailifes of a liberty.

3 If the Sherife doth returne, that he hath directed his precept to the Bailifes of some liberty (which indeed haue returne of writs) which did nothing therein, then the Sherife shalbe commaunded, that he shall not omit for any liberty aforesaid, but shall execute the K. commandement, & that he shall warne the Bailifes to whom he returned the writ, that they shall appeare at a day contained in the writ, to answer why they did not execute the K. precept. And if they doe appeare at the day, and do acquit themselues, that the writ was not returned vnto them, the Sherife shall be forthwith condemned to the Lord of the same liberty, & likewise to the party grieued by the delay, to restore him damages. But if the bailifes do not appeare, or doe appeare, and doe not acquit themselues in forme aforesaid, in euery iudiciall writ, so long as that suit dependeth, the Sherife shalbe commaunded, that he spare for no libertie &c. West. 2. 13. Ed. 1. 39.

Non omittat propter aliquam libertatem.

Returning of issues.

4 If the Sherife doe returne no issues, or small issues, where he may returne greater, if the Plaintife will desire to heare the Sherifes returne, he shall, and if he will offer to proue that the Sherife might haue returned greater issues to the King, he shall haue a iudiciall writ to the Justices of Assise, that they shall enquire in the presence of the Sherife (if he will be present) of what, and how great issues the Sherife might haue made his returne, from the day of the writ purchased, vnto the day contained in the writ (videlicet, of the returne thereof) and when the inquisition is returned, if he haue not fully answered before, he shall be charged with the ouerplus, by the estreats of the Justices deliuered into the Exchequer, and neuertheleſſe shall be grieuously amerced. And the Sherife ought to know, that Rent, Corne in grange, and all moueables, besides horse, apparell and houshold stuffe are contained vnder the name of issues. Westminster 2. 13. Ed. 1. 39. S. Iurors 16. 20. 21. 27.

what be issues.

Resistance in executing the Kings writs.

5 The Sherife ought not to returne that he could not execute the Kings precept, by resistance of the power of any Nobleman, for that returne tendeth to the dishonour of the King and his Crowne, for as soone as his Vnderbailifes doe testifie that they found such resistance, the Sherife forthwith (all businesse set apart, taking with him the power of his Countie) shall goe in his owne person to doe execution, and if he find his Vnderbaylifes false, he shall imprison them (that other men may be warned by their punishment.) And if he find them true, he shall imprison the resistors, from which prison they shall not be deliuered, without the Kings speciall commaundement. And if the Sherife at his comming doe find such resistance, he shall certifie the Court of the names of the resistors, their aidors, consentors, commaunders, and fauourers, which shall be attached by a iudiciall writ, to appeare at the Kings Court, and if they be conuicted of such resistance, they shalbe punished at the Kings pleasure. But no officer of the Kings shall meddle in assigning of the foresaid punishment, for the King onely shall do it, for such resisters are disturbers of his peace and Realme. West. 2. 13. Ed. 1. 39. S. Distresse 4.

Indenture betwixt the Sherife & bailifs of franchiſe of euery returne.

6 There shall be an Indenture made betwixt the Baylife of the Franchise, which hath full returne of writs by his proper name, and the Sherife his proper name, of euery returne which the Bailife of any such Franchise shall make to the Sherife. And if the Sherife doe change the returne so deliuered vnto him by Indenture, and thereof be attainted at the suite of the Lord of the same Franchise, from whence he hath receiued the said returne (if the Lord haue receiued any dammage, or if his Franchises be impaired) and at the suite of the party which hath receiued losse by this meanes, he shall be punished by the King for his false

returne, and alſo ſhall yeld to the Lord and the partie double dammages. Stat. Eborum. 12. Ed. 1. 5.

Sherifes and Bailifes ſhall put their names to returnes.

7 Sherifes and other Bailifes which receiue the Kings writs, returnable into his Court, ſhall put their owne names to the returns, ſo that the court may know of whom they take ſuch returne, if need be, and if any Sherife or other Bailife doe leaue out his name in his returne, he ſhal be grieuouſly amerced to the K. vſe. Stat. Eborum. 12. Ed. 1. 5.

Auerment againſt the returne of Bailifes.

8 A man ſhall haue auerment againſt the falſe returnes of Bailifes of Fraunchiſes, which haue full returne of writs, and recouer as wel againſt them, as againſt the Sherife, as well of ſmall iſſues returned, as in other caſes, ſo that it be not preiudiciall to the Lords, nor to the impairing of their Fraunchiſes, and that the eſtate of holy Church be ſaued, for the puniſhment ſhall fall only vpon the Bailifes by the puniſhment of their bodies, if they haue not whereof to anſwer. 1. Ed. 3. 5.

Excommunicato capiendo

9 If any Sherife, or other hauing authoritie to returne writs, doth make an vntrue returne vpon any Capias in a writ of Excommunicato capiendo to him directed, that the partie named in the writ hath not yelded his bodie vpon any Proclamation made, where indeed he hath yelded himſelfe according to ỹ effect thereof, he ſhall forfeit to the partie grieued xl. K, to be recouered by A. B. P. I. wherein no W. E. P. &c. 5. El 23. S. Excommunication.

Returne vpõ infor mation, for giuing of Liueries.

10 Vpon any bill, information, or action exhibited or ſued againſt any perſon being ſufficient, vpon the Statute prouided 8. Ed. 4. againſt giuing of liueries or badges, or vnlawfull retaining, if the Sherife or Coroner doe returne any leſſe iſſues vpon the defendant than xl. s. at the firſt day of the diſtreſſe, at the ſecond day xxx. ſhillings, at the third day xl. s. and ſo at euery day after, x. s. more, he ſhall forfeit for euery returne made againſt the forme aforeſaid xx. ſhillings. 8. Ed. 4. 2. S. Sherifes.

Amerciament of Sherifes for inſufficient returnes.

11 The chiefe officer or officers of euery of the K. Courts of reuenue, being of Record, or that ſhall be of Record, ſhall haue authoritie to ſet and aſſeſſe reaſonable fines and amerciaments vpon any Sherife or Sherifes for not returning or miſreturning of any writ to them directed and deliuered out of any of the ſame Courts, concerning the leuying or anſwering of any of the ſaid iſſues, rents, or reuenues, or of any debt due to the K. in ſuch ſort, and after ſuch manner and forme, as now is, or heretofore hath bin lawfully vſed in the like, and ſuch other caſes in the K. Court of Exchequer. 7. Ed 6. 1.

1 What Iurors, and of what ſufficiencie, the Shirife in ſeuerall caſes ſhal returne, and vpon what paine. S. Iurors 12. 13. 14. 16. 19. 20.

2 The Sherifes forfeiture for not returning of a Proclamation ſent vnto him in any of the xij. ſhires in Wales, or counties of Lancaſter or Cheſter. S. Exigent 8.

Riots, Routs, Vnlawfull aſſemblies.

The Juſtices & Sherife ſhall arreſt thoſe which commit riots.

IF any Riot, Aſſembly, or Rout of people, againſt the law be made in any part of the Realme, the Juſtices of Peace, three or two of them at the leaſt, and ỹ Sherife, or vnderSherife of the ſhire where ſuch Riot, aſſembly, or rout ſhall be made, ſhall come with the power of the Countie (if neede be) to arreſt them. And ỹ ſame Juſtices, Sherifes, or vnderSherifes, ſhall haue power to record that which they ſhall find done in their preſence againſt the Law, and the ſame treſpaſſors and offendors ſhalbe conuict by the record of the ſame Juſt. Sherife, or VnderSherife, in manner and forme as is contained in the Statute of Forcible entries. 17. R. 2. 8. 13. H. 4. 7. S. Forcible entrie 2.

Enquiry of Riots.

2 If it happen that ſuch treſpaſſors and offendors be departed before the coming

ming of the ſaid Juſtices and Sherife, or Underſherife, the ſame Juſtices, three or two of them, ſhall diligently inquire within a moneth after ſuch Riot, aſſembly, or rout of people ſo made, and the ſame ſhal heare and determine according to the law of this Realme. 13.H.4.7.

3 If the truth cannot be found in maner aforeſaid, then within a moneth nert after, the ſame Juſtices, three or two of them, and the ſaid Sherife or Underſherife, ſhall certifie before the King and his Counſell, of the whole fact, and the circumſtances thereof, which certificat ſhall bee of the ſame force that a preſentment by twelue men is, vpon which Certificat the ſaid treſpaſſers and offendors ſhalbe put to anſwer, and they which ſhall be found guiltie, ſhall be puniſhed by the diſcretion of the King and his Counſell. And if the ſame treſpaſſers and offendors doe trauerſe the matter ſo certified, the ſame Certificat and Trauerſe ſhall be ſent into the Kings Bench, there to bee tried and determined according to the order of the law. 13.H.4.7. Certifying of the Riot to the K. and his Counſell. Trauerſe of the Certificat.

4 If the ſame treſpaſſors and offendors do not come before the K. and his counſell, or into the K. Bench at the firſt precept, then another precept ſhall bee directed to the Sherife of the Shire, to take the ſaid treſpaſſors and offendors, if they may be found, and to bring them at a certaine day before the K. and his Counſel, or into the K. Bench. And if they cannot be found, the Sherife or Underſherife ſhal make proclamation in his full Countie, nert enſuing the deliuerie of the ſaid ſecond precept, that they ſhall appeare before the K. and his Counſell, or in the K. Bench (or in the Chauncerie in the time of vacation) within three weeks then nert following. And if the offendors doe not appeare as is aforeſaid, and the proclamation be made and returned, they ſhalbe attainted and conuicted of the riot, aſſembly, and rout aforeſaid. 13.H.4.7. Proces againſt the offendors.

5 The Juſtices of peace which dwell neereſt in euery Countie where ſuch riot of people ſhal be, together with the Sherife or vnderſherife of the ſame county, And alſo the Juſt. of Aſſiſe, for the time that they ſhall bee in their Seſſions (in caſe any ſuch riot, aſſembly, or rout be made in their preſence) ſhall do execution of this Statute, euery one, vpon paine of a C.l. to be paid to the K. as often as they ſhall bee found in default of execution of the ſame ſtatute. 13.H.4.7. The forf. of the Juſtices which do not execute this Statute.

6 If default be found in the ſaid two Juſtices of peace, or Juſtices of Aſſiſe, and the Sherife or Underſherife of the Countie where ſuch Riot, aſſembly, or rout ſhal be made, touching the execution that they ought to make by vertue of the ſaid Statute, and whereof the ſaid Statute maketh mention: Then at the inſtance of the partie grieued, the K. commiſſion ſhall go out vnder the great Seale, to enquire as well of the truth of the caſe, and of the originall matter for the partie complainant, as of the default or defaults of the ſaid Juſtices, Sherife, or Underſherife, in this behalfe ſuppoſed, to be directed to ſufficient and indifferent perſons, at the nomination, and by the aduice of the Chauncelor of England. And the ſaid commiſſioners incontinent ſhall ſend into the Chauncery the enqueſts and matters before them in this behalfe taken and found. 2.H.5.8. Cõmiſſioners to enquire of the Juſtices & Sherifes defaults.

7 The Corroners of the ſame County for the time being, in which County ſuch riot, aſſembly, or rout, ſhalbe made, ſhall make the panell vpon the ſaid Commiſſion, returnable, for the time that the Sherife ſo ſuppoſed in default ſhall remaine in his office, which Corroners ſhall returne no perſons, but onely ſuch which haue lands, tenements, or rents, to the value of x.l. by the yeare at the leaſt. And alſo the ſame Corroners ſhall returne vpon euerie of the ſaid perſons impanelled at the firſt day, when iſſues be to be loſt, xx.s. at the leaſt, at the ſecond day xl.s. at the leaſt, and at the third day, C.s. at the leaſt, and at euery day after, the double at the leaſt, which iſſues ſo returned becauſe of non-apparance of ſuch perſons impanelled, ſhal be forf. to the King, and leuiable to his vſe. And if default be found in the ſaid Coroners, Vpon the cõmiſſion the Corroner ſhal returne the Jurie.

toners, touching the returne of such persons to be impanelled, or touching the returne of such Issues, as afore is said, euerie of them shall pay to the K. vse, vl. l. 2.H.5.8.

Where the Sherife and not the Coroners shall returne a Jurie

8 And if the said Sherife so reputed in default, bee discharged of his office at the time that such Commission shall go out of the Chauncerie, then the new Sherife of the same Countie, his successors, mediat or immediat, and not the Coroners, shall make the panel vpon this Commission, returnable in maner and forme, as the said Coroners should do in time when the Sherife so reputed in default stod in his Office. And the same new Sherife shall incurre like paine of vl. l. to the K. if any default in him be found, touching the returne of other persons by him impanelled, which haue not lands, tenements, or rents, to the value of x. l. by yeare, or of returning such issues as the said Coroners be aboue charged to returne, as the said Coroners be to lose to the K. in this behalfe. 2.H.5.8.

A writ directed to inquire of Riots.

9 The Chancelor of England, as sone as he may haue knowledge of such riot, assembly, or rout, shall cause to be sent the K. writ to the J. of peace, and to the Sherife, or Undersherife of the Countie where they be so made, that they shall put the foresaid Statute of 13.H.4. in execution, vpon the paine contained in the same. And though that such writ come not to the said Justices, Sherife, or Undersherif, they shall not be excused of the paine aforesaid, if they make not execution of the said Statute. 2.H.5.8.

Riot shall bee repressed & inquired of at the K. costs.

10 The Justices and other Officers aforesaid, shall do their offices aforesaid, at the K. costs, in going, tarrying, and returning, in doing their said offices, by payment thereof to be made by the Sherife of the same Countie for the time being, by Indenture betwirt him and the same Justices, and other officers aforesaid, to bee made of the paiment aforesaid, whereof the said Sherife vpon his accompt in the Exchequer, shall haue due allowance. 2.H.5.8.

The punishment of Riots.

11 Such Rioters attainted of great and hainous Riots, shall haue one whole yeares imprisonment at the least, without beeing let out of prison by bayle, mainprise, or in any other manner during the yeare aforesaid, and the riotors attainted of petie riots, shall haue imprisonment as the King and his Counsell shall thinke good. 2.H.5.8.

Ech man shal helpe to repelle riots.

12 The Kings liege people being able to trauell in the Countie where such Riots, assemblies, or Routs bee, shall bee assistant to the Justices, Commissioners, Sherife, or Undersherife of the same Countie, when they shall be reasonably warned, to ride with the said Justices, Sherife, &c. in aid to resist such Riots, Routs, and assemblies, vpon paine of imprisonment, and to make fine and ransome to the King. 2.H.5.8.

Bailifes of Franchises.

13 The Bailifes of Franchises shall impanell sufficient people as before, vpon paine to lose to the K. vl. l. in case that such sufficient persons may be found within the said Franchises. And like ordinances and paines shall hold place and take effect in Cities, Boroughes, and other places and townes infranchised, which haue Justices of peace within them. 2.H.5.8.

Riots in cities & townes corporat.

A Jury to inquire of riots.

14 If any riot, rout, or vnlawfull assembly be committed within this Realme, the Sherife hauing a Precept directed to him, shall returne xxiiij. persons dwelling within the Shire, where such Riots &c. shall bee so committed, whereof euery of them shall haue lands and tenements within the same Shire, to the yearely value of xx.s. of charter land, or freehold, or xxvj.s. viij.d. of copihold, or of both, aboue all charges, for to inquire of the said riot &c. And he shall returne vpon euerie person so by him impanelled in issues at the first day xx.s. at the second xl.s. (if that they appeare not and be sworne to enquire of the premisses at the first day.) And if default be found in the Sherife or Undersherife, for returning of other persons not being of the said sufficiencie, for not returning issues in forme aforesaid, then the

said

ſaid Sherife ſhall forfeit to the King for either rr. l. 19. H. 7. 13.

15 If the ſaid Riot, Rout, or vnlawful aſſembly be not found by the ſaid Jury, by reaſon of any maintenance or imbracerie of the ſaid Jurors, then the ſame Juſtices, and the Sherife or Vndersherife (beſides ſuch Certificat that they be bound to make according to the foreſaid Statute of 13. H. 4.) ſhall in the ſame certificat certifie the names of the maintainors and imbracerors in that behalfe (if any be) with their miſdemeanors that they know, vpon paine of euerie of the ſaid Juſtices and Sherife or Vndersherife, to forf. rr. l. if they haue no reaſonable excuſe, for not certifying of the ſame, which certificat ſo made, ſhall be of like force and effect in the law, as if the matter contained in the ſame were duely found by the verdict of xij. men: And euerie perſon duely proued to be a maintainor, or imbraceror of the ſame, ſhall forf. to the K. rr. l. and ſhalbe committed to ward, there to remaine by the diſcretion of the Juſtices. 19. H. 7. 13.

Maintenance whereby a riot is not found by the Jurie.

The puniſhment of the maintainors & imbracerors.

16 If any perſons to the number of twelue, or aboue, being aſſembled together, ſhall intend, goe about, practiſe, or put in vre with force of armes vnlawfully, and of their owne authoritie, to alter or change any Lawes made or eſtabliſhed for Religion by authoritie of Parliament which ſtand in force, or any other Lawes or Eſtatutes of this Realme, or any of them, the ſame number being commaunded or required by the Sherife of the Shire, or by any Juſtice of Peace of the ſame Shire, or by the Maior, Sherife, Juſtices of peace, or Bailifes of any Citie, Borough, or Towne Corporat, where any ſuch aſſemblies ſhall be vnlawfully had or made, by Proclamation in the Quenes name, to retire, and repaire to their owne houſes and habitations, or places from whence they came: And they or any of them notwithſtanding ſuch Proclamation, ſhall remaine and make their abode or continue together by the ſpace of one whole houre, after ſuch commaundement or requeſt made by Proclamation, or after that ſhall willingly in forcible and riotous maner attempt to doe, or put in vre any the things aboue ſpecified: Then as well euerie ſuch abode or continuing together, as euerie ſuch act or offence, that after ſuch commaundement or requeſt by Proclamation had or made, ſhall be attempted to be done, practiſed, or put in vre by any perſons being of the number aforeſaid, ſhall be adiudged Felony in all and ſingular thoſe perſons that ſo ſhall make their abode or continue together, or ſhall attempt or commit any ſuch Act. And the offendors therein ſhall be adiudged Felons, and ſhal ſuffer only execution of death as in caſe of felonie. 1. M. 12. 1. El. 16.

Xij. or aboue aſſembled to change any Lawes.

Felony.

17 If any perſons to the ſaid number of xij. or aboue, ſhall intend, go about, practiſe, or put in vre, in maner and forme aforeſaid, to ouerthrow, cut, breake, caſt downe, or dig vp the pales, hedges, ditches, or other incloſure of any Parkes or Parke, or other grounds or ground incloſed, or the bankes of any Fiſh-pond, or Pole, or any Conduits for water, Conduit heads, or Conduit pipes, hauing courſe of water, to the intent that the ſame, or any of them from henceforth ſhould remain open, not incloſed, or void, or vnlawfully to haue common or way in the ſaid Parkes or Parke, or other grounds or ground incloſed, or in any of them, or to deſtroy in maner & forme aforeſaid, the Deere in any Parks or Parke, or any Warrens or Warren of Conies, or any Doue-houſes, or any fiſh in any fiſh-pond, or pole, or to pull or cut downe any houſes, barnes, mils, or baies, or to burne any ſtacks of corne or graine, or to abate or diminiſh the rents, or yearely value of any manors, lands, or tenements, or the price of any victual corne or grain, or any other thing vſuall for the ſuſtenance of men, and being required or commaunded by any Juſtice of P. or by the Sherife of the Countie, or by the Maior, Bailife or Bailifs, or other head Officers of any Citie, or Towne Corporat, where ſuch aſſembly ſhall be had, by proclamation to be made in the Quenes name, to retire or returne in peaceable maner, to their places and houſes from whence they came, and they, or any

Practiſing to deſtroy parks, ponds, conduits.

Common or way.

Deſtruction of deere, conies doue houſes, fiſh.

Pulling downe houſes, burning ſtacks of corne, abating of rents.

any of them (notwithstanding such Proclamation) shall remaine, or make their abode, or continue together by the space of one whole houre, after such commandement or request made by Proclamation, or after that shall in forcible maner doe, or put in vre, any of these things last before mencioned: Then aswell euery such abode, or continuing together, as euery such act that after such commaundement or request by Proclamation had or made, shall be done, practized, or put in vre, by any persons being aboue the number of twelue, shall be adiudged Felonie, and the offendors therein shall be adiudged Felons, and shall suffer onely the execution of death, as in case of Felony. 1. M. 12. 1. Eliz. 16.

Felony.

Raising of vnlawfull assemblies by some act or words.

16 If any person or persons, vnlawfully, and without authoritie, by ringing of any Bell, or Belles, sounding of any Trumpet, Drumme, Horne, or other instrument whatsoeuer, or by fiering of any Beakon, or by malicious speaking or vttering of any words, or making any outcrie, or by setting vp, or casting of any bils, or bill, or writing whatsoeuer, or by any other deed, or act, shall raise, or cause to be raised, or assembled, any persons to the number of xy. or aboue, to the intent that the same persons should do, or put in vre, any of the things aboue mencioned, and that the persons to the number of twelue, or aboue, so raised & assembled, after request or commaundement had or giuen, in forme aforesaid, shall make their abode, or continue together, as is aforesaid, or vnlawfully, & in forcible maner perpetrate, do, commit, or put in vre any of the actes or things aboue said: Then all & singuler persons, by whose speaking, deede, act, or any other the meanes aboue specified, any persons to the number of xy. or aboue, shall be raised or assembled for the doing, committing, or putting in vre any of the actes or things aboue mencioned, shall be adiudged for his so speaking, or doing, a Felon, and shall suffer execution of death, as in case of Felonie. 1. M. 12. 1. Eliz. 16.

Felony.

Relieuing them which be assembled.

19 If any wife, or seruant of any of the same persons, or any other person whatsoeuer, shall willingly and without compulsion, bring, send, deliuer, or conuey, any money, harneys, artillerie, weapon, meat, bread, drinke, or other victuall, to any person or persons so being assembled, as is aforesaid, during such time as he or they shall so be assembled, or be together, as is aforesaid: Then euery wife, seruant, or other person so bringing, or conueying &c. any of the foresaid things to the same persons so being assembled together in forcible maner, or to any of them, & not departing to their houses or dwelling places vpon request or commaundement made vnto them, as is aforesaid, shall be adiudged a Felon, and shal suffer execution of death, as in case of Felonie. 1. M. 12. 1. Eliz. 16.

Felony.

Vnlawfull assemblies aboue two, and vnder twelue.

20 If any persons aboue the number of two, and vnder the number of twelue, being assembled together, shall intend, go about, practise, or put in vre with force of armes, vnlawfully, and of their owne authoritie, to murder, kill, or slay any of the Quenes Subiects, or to ouerthrow, cut, breake, or cast downe, or dig vp the pales, hedges, ditches, wall, or other closure of any parkes, parke, or other ground inclosed, or the banke of any fish pond, or pole, to the intent, that the same, or any of them from thencefoorth should remaine open, not inclosed, or void, or to haue common, or way in the same parks, or park, or grounds or ground inclosed, or in any of them, or to destroy any parks or park, or fish pond, or pole, or any warrens, or warren of Conies, or any Douehouses, or to pull or cut downe any house, barne, mill, or to burne any stacks of Corne or graine, or to alter, defalke, or abate the rents, or yearely value of any manor, lands, or tenements of any the Quenes subiects, or the price of any victuall, corne, or graine, or any other thing vsuall for the sustenance or apparell of men, and being required or commaunded by any Iustice of the peace, or by the Shirife of the Countie, or by any Maiors, Bailifes, or Bailife, or other head Officer of any Citie, or Towne corporat, where such assemblie shall be had, by Proclamation to be made in the Quenes name, to retyre or returne

turne to their habitations, places, or houſes, and they ſo required by ſuch Proclamation, ſhall not ſo do, but after that ſhall in forcible maner, in forme aforeſaid, attempt to do, or put in vre any of the things laſt aboue mentioned: Then euerie of the ſame perſons being aboue the number of two, and vnder the number of twelue ſhall ſuffer impriſonment of his or their bodies by the ſpace of one yeare without baile or mainprize. And alſo if any perſon or perſons ſhall be damnified or hurt by the doing, committing, or putting in vre of any vnlawfull act or thing aboue mentioned: then all and ſingular perſons ſo damnified and hurt, ſhal recouer and haue dammages with the coſts of their ſuit ſuſtained in that behalfe treble againſt the offendors therein. 1. M. 12. 1. Eliz. 16.

The partie grieued ſhall recouer treble damages.

21 If any perſons aboue the number of two, ſhall be vnlawfully and of their owne authoritie aſſembled together, to the intent with force and armes to doe, practiſe, or put in vre, any of the things aboue mentioned: Then it ſhall be lawfull to euerie Juſtice of peace, and to euerie Sherife in any Counti e being within the K. Dominions, and to euerie Maior, Bailife, and other Head Officer of any Citie, or Towne Corporat, for the time he ſhall bee in Office, or any other perſon or perſons hauing the Queenes Commiſſion, or letters from her Highneſſe, as well to rayſe and aſſemble the Queenes louing ſubiects, in maner of warre to be arraied, in ſuch great number, as he or they then ſhall thinke meet or able, to the intent by violence and ſtrength to ſuppreſſe, apprehend, and take the ſaid perſons that ſo ſhall be vnlawfully aſſembled. And if the ſaid perſons ſo vnlawfully aſſembled, after ſuch commaundement or requeſt by Proclamation made, ſhall continue together, and not indeuour themſelues to returne towards their habitations, houſes, or places from whence they came, in ſuch ſhort times as they may conueniently: Then it ſhall be lawfull to euerie Juſtice of Peace, Sherife, and alſo euerie Maior, Bayliſe, and other head Officer of any Citie, or Towne Corporat, and to euerie other perſon hauing authoritie as is aforeſaid, after ſuch commaundement or requeſt by Proclamation made, and to ſuch perſons as ſhall be aſſembled with any Juſtice of peace, or Sherife, or with any Maior, Bailife, or other head Officer of any Citie, or Towne Corporat, and with euerie other perſon hauing authoritie as is aforeſaid, to ſuppreſſe, apprehend, and take thoſe perſons ſo vnlawfully aſſembled, which after ſuch Proclamation made, ſhall continue together and not indeuour themſelues to returne towards their habitations, &c. And if the ſaid perſons ſo vnlawfully aſſembled together, or any of them, ſhall fortune to be killed, ſlayne, maimed, or hurt, in or about the ſuppreſſing, or taking of them: then euerie ſuch Juſtice, Sherife, Maior, &c. and euerie other perſon hauing authoritie, as is aforeſaid, and all and ſingular perſons by him or them aſſembled, ſhall bee free, diſcharged, and vnpuniſhed, as well againſt the Queene, as againſt all and euerie other perſon and perſons, of, for, or concerning the killing, mayming, and hurting of any perſon or perſons ſo vnlawfully aſſembled, that ſhall be killed, ſlain, maymed, or hurt, about, or by occaſion of taking or ſuppreſſing of them, &c. 1. M. 12. 1. Eliz. 16.

Bailing of power to ſuppreſſe vnlawfull aſſemblies

22 All and euerie Copiholder, or Cuſtomarie holder, being Yeoman, Artificer, Huſbandman, or Labourer, and being of the age of xviij. yeares or more, and vnder the age of threeſcore yeares, not ſicke, impotent, lame, maymed, ne hauing any other iuſt or reaſonable excuſe or cauſe to the contrarie, and being required by the Sherife, or Juſtice or Juſtices of Peace, or other hauing authoritie by this act, or by Commiſſion or Letters &c. they declaring their ſaid authoritie, or being required by the immediat Lord or Lords, of whom ſuch copie or cuſtomarie holds then ſhall bee holden, to ſerue the Queene for any the cauſes aboue rehearſed, and refuſe ſo to doe, ſhall (onely during the life of ſuch perſon or perſons ſo refuſing) forfeit to his or their Lord or Lords of whom ſuch copie or cuſtomarie holds then ſhall

Copiholder being required, refuſeth to ſerue the Queene.

ſhall be immediatly holden, and ſhould bee holden during the life of ſuch perſon or perſons ſo refuſing, in caſe he had not ſo refuſed, all their copie and cuſtomarie holds. And it ſhalbe lawfull to euerie ſuch Lord, &c. his heires or aſſignes, of whom ſuch copie or cuſtomarie holds ſhalbe immediatly holden, and ſhould haue bẽ holden in caſe that ſuch perſon or perſons had not ſo refuſed, to enter and take into his or their hands or poſſeſſions, all ſuch copie and cuſtomarie holds ſo holden of them, or any of them immediatly, and to retaine the ſame during onely the life of euerie ſuch offendor or offendors, in ſuch maner as he or they ſhould haue had the rents or ſeruice of ſuch copie or cuſtomarie hold, in caſe ſuch perſon or perſons ſo refuſing had not refuſed. 1. M. 12. 1. Eliz. 16.

A farmor required, refuſeth to ſerue,

23 All and euerie Farmor, being a Yeoman, Huſbandman, Artificer, or Labourer, and being of the age of xviij. yeares, or more, and vnder the age of lx. yeares, not ſicke, impotent, lame, maimed, ne hauing any other reaſonable excuſe, or cauſe to the contrarie, and being required by the Sherife, Juſtice or Juſtices of peace, or other hauing authoritie by this Act, or by commiſſion, or letters &c. they declaring their ſaid authoritie, or being required by their Landlord or Landlords, for the time being, to whom the rents of ſuch Farmers ſhall be then riſing, growing, or comming, to ſerue the Quæne for any the cauſes aboue rehearſed, and refuſe ſo to doe, ſhall (during only the life of ſuch Farmor or Farmors, ſo refuſing) forfeit and loſe to ſuch Landlord and Landlords, as ſhould haue had the rent of ſuch Farmor, during the life and liues of ſuch perſon and perſons ſo refuſing, all their ſaid Farmes. And it ſhalbe lawfull to euerie ſuch Landlord &c. their heirs and aſſignes, to whom the rents of ſuch farmes ſhould haue bẽne due, during the life of ſuch perſon or perſons ſo refuſing (in caſe he or they had not refuſed) to enter & take into his or their hands or poſſeſſion, all ſuch farmes, and to retaine the ſame during onely the life of euery ſuch offendor or offendors. But after the death, expiration, or determination of the intereſt, or terme of yeares of euerie ſuch Copie holder, Cuſtomarie holder, or Farmor, as ſo ſhall offend and forfeit any the ſaid copy holds, cuſtomarie holds, or farmes, as is aforeſaid: Then euerie ſuch perſon as ſhould or ought to haue had the ſaid Copie holds, Cuſtomarie holds, or Farmes, after, or by the death, expiration, or determination of the intereſt, or terme of yeares of ſuch Copy holder, Cuſtomarie holder, or Farmor, in caſe ſuch Copy holder, Cuſtomarie holder, or Farmor, had not ſo offended, ne forfeited, ſhal and may haue the ſame Copy holds, Cuſtomarie holds, and Farmes, by Entrie, Action, admiſſion, or otherwiſe, in like maner, forme, and condition, and by ſuch meanes, as they and euery of them ſhould, might, or ought to haue had, if no ſuch forfeiture or offence had bẽne had, done, or committed. 1. M. 12. 1. El. 16.

Diſcloſing a Commotion wherein one is moued.

24 If any perſon ſhall be ſpoken vnto, moued, or ſtirred to make any Commotion, Inſurrection, or vnlawfull aſſembly for any of the intents aboue mentioned, and do not within xviij. houres next after he ſhall be ſpoken vnto, moued, or ſtirred (vnleſſe he haue good or reaſonable cauſe of excuſe) declare the ſame vnto one Juſt. of peace, or Sherife of the ſaid Countie, or to the Maior, Sheriſes, Bailifes, or other head Officers of any Citie, or Towne Corporat, where ſuch motion, &c. ſhall bee had, hee ſhall ſuffer impriſonment by the ſpace of three monethes, without baile or mainprize, vnleſſe hee ſhall bee diſcharged by three Juſtices of peace (whereof one to be of the Quorum) of the ſame Shire where the offence ſhall be committed. 1 M. 12. 1. El. 16.

Vnable perſon required, refuſeth to ſerue.

25 If any perſon being aboue the age of xviij. yeares, and vnder the age of lx. being able to ſerue, and not ſicke, lame, or impotent, ſhall be required by any Juſt. of peace, or any Sherife of any Countie where any ſuch aſſembly ſhall bee, or by any Maior, Bailife, or other head Officer of any Citie, Borough, or Towne Corporat, or by any other by the commandement of any ſuch Juſt. Sherife, Maior, &c.

to

to go with him or them, to suppresse the persons vnlawfully assembled, in maner and forme aforesaid: Then euery person which so being able and required, doth willingly, and obstinately refuse so to doe, shall suffer imprisonment for one yeare without bayle or mainprise. 1.M.12. 1. Eliz. 16.

Attendance vpon a Lieutenant.

26 If the Quæne shall by her Letters patents make any Lieutenant in any Countie or Counties of this Realme, for the suppression of any Commotion, Rebellion, or vnlawfull assemblie, then aswell all Justices of Peace, and the Shirife, and Shirifes of the same, as all Maiors, Bailifes, & other head Officers, and all Inhabitants and Subiects of any Countie, Citie, Borough, or Towne corporat, within euery such Countie, shall vpon the declaration of the said Letters patents, and request made, be bound to giue attendance vpon the same Lieutenant, to suppresse any Commotion, Rebellion, or vnlawfull assemblie, vnlesse he so required, haue a reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yeare. 1.M.12. 1. Eliz. 16.

The forme of the Proclamation.

27 The order and forme of the Proclamations that shall be made by the authoritie of this Act, shall be as hereafter followeth, or with the like order & words in effect, viz. The Justices, or other persons authorized by this Act to make the said Proclamation, shall make, or cause to be made an Oyes, and after that, shal openly pronounce, or cause to be pronounced these words, or like in effect: The Quæne our Soueraigne Lady, chargeth and commaundeth all persons being assembled, immediatly to disperse themselues, and peaceably to depart to their habitations, or to their lawfull businesse, vpon the paine contained in the Act lately made against vnlawfull and rebellious assemblies, And God saue the Quæne. 1.M. 12. 1. Eliz. 16.

Hindrance of the Proclamation.

28 If any person or persons do, or shall molest, let, hinder, or hurt any person or persons that shall proclaime, or go to proclaime, according to the Proclamation and order aforesaid, whereby such Proclamation shall not be made: Then euery person so molesting, or hurting, &c. and hauing knowledge of his message, shall incurre such danger, and suffer such paines and forfeitures, as the persons assembled, to whom the Proclamation should haue bæn made, should by this Act incurre for not obeying the Proclamation (if it had bæn made) or for doing after the Proclamation of any the things before expressed. And also all such persons being assembled to the number aforesaid, to attempt, or to doe any the things aforesaid, to whom Proclamation should or ought to haue bæn made, if the same had not bæn let, shall likewise in case they do after put in vre, and do any the things aforesaid, hauing any waies knowledge of the let so made, or by any meanes procuring the same let, incurre like danger, and suffer like paines and forfeitures aforesaid, in euery their degrees, as though the Proclamation had bæn made: Any clause, article, &c. in this Act &c. notwithstanding. 1.M.12. 1.Eliz. 16.

Other mens rights saued.

29 All and euery the heire and heires of all and euery the offendor and offendors in any the cases aforesaid, and all and euery person and persons, bodies politique and corporat, their heires, successors, and executors, & euery of them (other then such person and persons onely, as shall be attainted, conuicted, or outlawed, of any the aforesaid offences of Felony) shall haue, hold, and enioy, all such right, title, entrie, interest, leases, possession, rents, conditions, profits, aduantages, as they, or any of them shall, or of right ought to haue, in, or to any manors, lands, rents, reuersions, seruices, or hereditaments whatsoeuer, or in, or to any part thereof, in as large manner to all intents, as if such attainder had neuer bæn had: Any thing in this Act &c. notwithstanding &c. Sauing to euery person and persons, bodies politike and corporat, and their successors, their liberties and franchises, in such maner, as if this Act had neuer bæne made. 1.M. 12. 1. Eliz. 16.

Procuring others to offend.

30 If any person or persons, do moue, stir, or procure any person or persons, to commit any of the offences in this Act specified, then euery such person & persons, which shall procure, stir, or moue any person or persons so to offend, shall suffer such punishment by imprisonment without baile or mainprise, as is before expressed in this Act against counsailers of such offenders. 1. M. 12. 1. Eliz. 16.

Vnlawfull assemblie by xl. or aboue.

31 If any persons to the number of fortie, or more, shall assemble together in forcible maner, vnlawfully, and of their owne authoritie, to the intent to execute, doe, or put in vre any of the things aboue specified, or to doe other felonious or rebellious act or actes, and so shall continue together by the space of three houres, after Proclamation shall be made, at, or nigh the place where they shall be so assembled, or in some Market Towne thereunto next adioyning, and after notice thereof to them giuen, Then euery person so willingly assembled in forcible maner, & so continuing together by the space of three houres after such Proclamation made, & notice thereof giuen, shall be adiudged a Felon. 1. M. 12. 1. Eliz. 16.

Lieutenant shall not appoint a Deputie.

32 No Lieutenant that shall be made by authoritie, or colour of this Act, or for to execute this Act, shall constitute vnder him, or in his place, any Deputie, nor shall call, or appoint to appeare before him by the onely authoritie of Lieutenancie, or of Commission of Lieutenancie, any person, for any cause or matter whatsoeuer, saue onely for the causes and matters expressed in this Act, and for none other. 1. M. 12. 1. Eliz. 16.

Aiding of the offender after the offence.

33 No person or persons shall be put to any losse, forfeiture, paine, or punishment of life, land, or goods, as accessary to any person or persons that shall commit any of the offences contained in this Act, for receiuing, comforting, or ayding of any such offendor after such act committed or done. 1. M. 12. 1. Eliz. 16.

The attainder for those offences, no corruption of bloud.

34 No attainder, or conuiction of any person or persons, for any offence or offences herein contained, shall be any corruption of bloud betwixt the offender and any of his auncestors, or such person or persons as should haue bene heire to such offender, if no such attainder or conuiction had bene had. Sauing to euery person & persons, bodies politike and corporat &c. their liberties and franchises in such maner, as if this Act had neuer bene made. 1. M. 1. Parliament. 12. 1. Eliz. 16. To continue during the naturall life of Q. Elizabeth, and to the end of the Parliament then next following.

Robberie.

Taking away any person against his will.

WHosoeuer shall at any time hereafter, without lawfull authoritie, take any of her Maiesties Subiects against his or their will, or wils, & carrie them out of the Counties of Cumberland, Northumberland, Westmerland, and the Bishoprieke of Durham, or to any other place within any of the said Counties, or detaine, force, or imprison him, or them, as prysoners, or against his, or their wils, to ransome them, or to make a pray or spoyle of his or their person or goods, vpon deadly feude, or otherwise: Or whosoeuer shall be priuie, consenting, ayding, or assisting vnto any such taking, detayning, carrying away of any such person or persons prysoners as aforesaid: Or whosoeuer shall take, receiue, or carrie, to the vse of himselfe, or wittingly to the vse of any other, any money, corne, cattell, or other consideration commonly called Blacke mayle, for the protecting or defending of him, or them, or his, or their lands, tenements, goods, or chattels, from such theftes, spoyles, and robberies, as is aforesaid: Or whosoeuer shall giue any such money, corne, cattell, or other consideration, called Blacke mayle, for such protection as is aforesaid: Or shall wilfully, and of malice burne, or cause to be burned, or ayde, procure, or consent to the burning of any Barne, or stacke of Corne, or Graine, within any of the said Counties, or places aforesaid, and shall be of

Ayding or assenting to the detayning of any other.

Receiuing or carrying of Blacke mayle.

Giuing of Blacke mayle.

Burning of Barnes, or stackes of Corne.

be of the ſaid ſeuerall offences, or of any of them indicted, and lawfully conuicted, or ſhall ſtand mute, or ſhall challenge peremptorily aboue the number of twentie, before the Iuſtices of Aſſiſes, Iuſtices of Gaole deliuerie, Iuſtices of Oier and Terminer, or Iuſtices of Peace within any of the ſaid Counties, at ſome of their generall Seſſions within ſome of the ſaid Counties to be holden, ſhall be reputed, adiudged, and taken to be as Felons, and ſhall ſuffer death, without any benefit of Clergie, Sanctuarie, or Abiuration, and ſhall forfait as in caſe of Felonie. 43. Eliz. 13.

The names of Outlawes ſhall be deliuered to the Shirife.

2 Euery Clerke of the Peace within euery of the ſaid Counties, ſhall within the ſpace of two Monethes next after any Outlawrie within any of the ſaid Counties, deliuer, or cauſe to be deliuered, by writing vnder his hand, the names of all and euery ſuch as are, or ſhall be hereafter outlawed within their ſeuerall Counties (for Murders, Robberies, Burglaries, or other Felonies) to all and euery the Shirifes of the ſaid ſeuerall Counties. And all and euery the ſaid Shirifes ſhall proclaime and publiſh them to be outlawed in their ſeuerall County Courts, and in the Citie of Carliol, the Townes of Penreth, and Cokermouth in the Countie of Cumberland, and in the Townes of Appulby, & Kendall in the Countie of Weſtmerland, and in the Towne of Newcaſtle vpon Tyne in the Countie of the Towne of Newcaſtle vpon Tyne, and in the Townes of Morpeth, Alnewike, and Heram in the Countie of Northumberland, and in the Citie of Durham, and Townes of Darlington, Biſhop Awcland, and Barnard Caſtle within the Biſhopricke of Dureſme, and in the Towne of Berwicke vpon Twede. And the ſaid Shirifes hauing notice, as aforeſaid, ſhall from time to time once in the Moneth, at their Countie Court, proclaime euery of the ſaid perſons ſo outlawed, vntill they ſhall yéeld their bodies to priſon. And likewiſe the Maiors, Bailifes, Aldermen, and other chiefe Officers within the ſaid ſeuerall Cities and Townes, ſhall proclaime the like at euery Fayre or Fayres to be kept within the ſaid Cities or Townes, and once euery ſixe wéekes at their Markets. 43. Eliz. 13.

Proclamation of the Outlawries.

Relieuing or conferring with any outlawed for Felony.

3 If any perſon or perſons inhabiting within any of the ſaid ſeuerall Counties, ſhall wittingly and willingly haue conference, talke, or in any ſort ſhall relieue, entertaine, or conferre with any ſuch perſon or perſons ſo outlawed, or hereafter to be outlawed, for any ſuch Murders, Robberies, Burglaries, or other Felonies, hauing knowledge of the ſame Outlawries, by reaſon of the ſame proclamation, or otherwiſe, and then ſhall not with conuenient ſpéede do his beſt indeuour to take and arreſt any ſuch perſon or perſons ſo Outlawed, or to be Outlawed, as is aforeſaid, he ſhall ſuffer impriſonment by the ſpace of vj. Monethes, without bayle or mainpriſe, and be bound with two ſufficient Sueerties for his good behauiour for the ſpace of one yeare after, before he be inlarged of his impriſonment. 43. Eliz. 13.

Inquirie and punishment of offendors.

4 The Iuſtices of Aſſiſe within any of the ſaid Counties, Iuſtices of Gaole deliuerie, Iuſtices of Oier and terminer, or Iuſtices of Peace within any of the ſaid Counties, at any of their generall Seſſions, ſhall haue authoritie by this Act, to inquire, heare, & determine of the offences & defaults of the ſaid Shirifes, Maiors, Bailifes, Aldermen, & other Officers, and of the Clerks of Peace within the ſaid Counties, & proceéd againſt them by Information, or Indictment, & puniſh them by fine, impriſonment, or otherwiſe, as they ſhall thinke fit. 43. Eliz. 13.

5 This Act ſhall not extend to abridge or impeach the iuriſdiction or authoritie of any the Lords Wardens of any the Marches of England, for and againſt Scotland. 43. Eliz. 13.

1 Clergie taken from thoſe which commit any Robberie. S. Clergie 13.

Maintaining the authoritie of the Bishop of Rome.

IF any person or persons, dwelling, inhabiting, or resiant within this Realme, or any other the Quenes Dominions, &c. or elsewhere, within or vnder her obeisance, of what estate, dignitie, condition, preheminence, or degree soeuer he or they be, shall by writing, ciphring, printing, preaching, or teaching, deede, or act, aduisedly and wittingly, hold, or stand with, to extoll, set forth, maintaine, or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claimed, vsed, or vsurped within this Realme, or in any Dominions or Countrey, being of, within, or vnder the K. power or obeisance, Or by any speech, open deed, or act, aduisedly, and wittingly, attribute any such maner of iurisdiction, authoritie, or preheminence to the said See of Rome, or to any Bishop of the same See for the time being within this Realme, or in any the K. Dominions or Countries: Then euery such person or persons, so doing, or offending, their abbettors, procurers, and counsellers, and also their aiders, assistants, and comforters, vpon purpose, and to the intent to set forth, further, and extoll the said vsurped power, authoritie, or iurisdiction of any of the said Bishop or Bishops of Rome, and euery of them, being thereof lawfully indicted, or presented, within one yeare next after any such offences by him or them committed, and being lawfully conuicted or attainted at any time after, according to the Lawes of this Realme, for euery such default and offence, shall incurre into the dangers, penalties, paines, and forfaitures, ordained and prouided by the Statute of Prouision and Præmunire made 16. R. 2. And if any such offender after such conuiction and attainder as is aforesaid, doe eftsoones commit, or do the said offences, or any of them, in maner & forme aforesaid, and be thereof duely conuicted & attainted as is aforesaid: Then euery such offender shall forfeit, and suffer such paines, forfaitures, iudgement, and execution, as is vsed in cases of high Treason. But this Act, or any attainder to be had by force thereof, shall not extend to make any corruption of bloud, the disheriting of any heire, forfaiture of Dower, nor to the preiudice of the right or title of any person or persons, other then the right or title of the offender or offenders, during his, her, or their naturall liues onely. And it shall and may be lawfull to euery person & persons, to whom the right or interest of any lands, tenements, or hereditaments, after the death of any such offender or offenders, should or might haue appertained, if no such attainder had bene, to enter into the same without any Ouster le maine to be sued, in such sort, as he or they might haue done if this Act had neuer been had ne made. But charitable giuing of reasonable almes to any of the offenders aboue specified, without fraud or couin, shall not be taken to be any such abbetment, procuring, counselling, aiding, assisting, or comforting, as thereby the giuer of such almes shall incurre any paine, penaltie, or forfaiture appointed in this Act. 5. Eliz. 1. S. Iustice of peace 9.

The second offence.

No corruption of bloud.

Retteuing the offenders.

2 If any person or persons shall vse, or put in vre, in any place within this Realme, or in any the Quenes Dominions, any Bull, writing, or instrument, written or printed, of absolution, or reconciliation, obtained from the Bishop of Rome, or any his successors, or from any other person or persons authorized, or claiming authoritie, by, or from the said Bishop, his predecessors, or successors, or See of Rome: Or if any person or persons shall take vpon him, or them, by colour of any such Bull, writing, instrument, or authoritie, to absolue, or reconcile any person or persons, or to graunt, or promise to any person or persons within this Realme, or any other the Quenes Dominions, any such absolution, or reconciliation, by any speech, preaching, teaching, writing, or any other open deede: Or if any person or persons wythin this Realme, or any the Quenes

Giuing or taking absolution by any Bulls from Rome.

Domi-

Dominions, ſhall willingly receiue, and take any ſuch abſolution, or reconciliation: Or elſe if any perſon or perſons haue obtained or gotten ſince the laſt day of the Parliament, holden Anno 1. Eliz. or ſhall obtaine, or get, from the ſaid Biſhop of Rome, or any his ſucceſſors, or Sée of Rome, any maner of Bull, writing, or inſtrument written, or printed, containing any thing, matter, or cauſe whatſoeuer, or ſhall publiſh, or by any waies or meanes put in vre any ſuch Bull, writing, or inſtrument: Then all and euery ſuch act and actes, offence and offences, ſhall be déemed & adiudged to bs high Treaſon, & the offender & offenders therein, their procurers, abbetters, and counſellers to the fact, and committing of the ſaid offence or offences, ſhall be déemed & adiudged high Traitors to the Quéne and the Realme, and being thereof lawfully indicted and attainted, according to the courſe of the Lawes of this Realme, ſhall ſuffer death, and forfait all their lands, hereditaments, &c. and cattels, as in caſes of high Treaſon by the Lawes of this Realme ought to be loſt and forfaited &c. 13. Eliz. 2. Obtaining of Bulls from Rome.

3 All and euery aiders, comforters, or maintainers of any of the ſaid offender or offenders, after the committing of any of the ſaid acts or offences, to the intent to ſet forth, vphold, or allow the doing, or execution of the ſaid vſurped power, iuriſdiction, or authoritie, concerning the premiſſes, or any part thereof, ſhall incurre the paines and penalties contained in the Statute of Præmunire made 16. R. 2. 13. Eliz. 2. The forfait of aiders, comforters, and maintainers, after the offences committed.

4 If any perſon or perſons to whom any ſuch abſolution, reconciliation, Bull, writing, or inſtrument, as is aforeſaid, ſhall be offered, moued, or perſwaded to be vſed, put in vre, or executed, ſhall conceal the ſame offer, motion, or perſwaſion, and not diſcloſe and ſignifie the ſame by writing, or otherwiſe, within ſixe wéekes then next following, to ſome of the Quénes Priuie Councell, or elſe to the Preſident, or Vicepreſident of the N. Councell eſtabliſhed in the North, or in the Marches of Wales, for the time being: Then the ſame perſon or perſons ſo concealing &c. ſhall incurre the penaltie and forfaiture of miſpriſion of high Treaſon. But no perſon or perſons ſhall be troubled, in, or for Miſpriſion of Treaſon, for any offence made Treaſon by this Act, other then ſuch as by this Act before are declared to be in caſe of Miſpriſion of high Treaſon. 13. Eliz. 2. Concealing of abſolution or Bull offered. Miſpriſion.

5 If any perſon or perſons ſhall at any time bring into this Realme, or any the Dominions of the ſame, any token or tokens, thing or things, called by the name of an Agnus Dei, or any croſſes, pictures, beads, or ſuch like vaine and ſuperſtitious things from the Biſhop, or Sée of Rome, or from any perſon or perſons, authorized, or claiming authoritie by or from the ſaid Biſhop, or Sée to conſecrate or hallow the ſame, If the ſame perſon ſhall deliuer, or cauſe, or ſuffer to be deliuered the ſame, or any of them, to any Subiect of this Realme, or of any the Dominions of the ſame, to be worne or vſed in any wiſe: Then aſwell the ſame perſon and perſons ſo doing, as alſo all and euery other perſon or perſons which ſhall receiue and take the ſame, to the intent to vſe or weare the ſame, being thereof lawfully conuicted and attainted by the order of the Common Lawes of this Realme, ſhall incurre into the dangers, penalties, paines, and forfaitures ordained and prouided by the Statute of Præmunire and Prouiſion, made 16. R. 2. Sauing to all and euery perſon and perſons, and bodie politike and corporat, their heires & ſucceſſors, other then the ſaid offenders, and their heires, and ſuch perſon & perſons as claime to any their vſes, all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, reuerſions, offices, fées, hereditaments, &c. as they or any of them ſhall haue at the day of the committing ſuch offence or offences, or any time before, in as large and ample maner, as if this Act had neuer béen had nor made: Any thing herein &c. notwithſtanding. 13. Eliz. 2. Agnus dei, croſſes, pictures. Other mens rights ſaued.

Apprehending the offendor, or disclosing his name.

6 If any person or persons to whome any such Agnus Dei, or other the things aforesaid shall be tendered, and offered to be deliuered, shall apprehend the party so offering the same, and bring him to the next Iustice of Peace of that Shire where such tender shall be made (if he shall be able so to doe) or for lacke of such abilitie, shall within three dayes next after such offer made, disclose the name and names, and dwelling place, or places of resort of the person or persons which shall make such offer (which he shall indeuour himselfe to know by all the meanes he can) to the Ordinarie of that Diocelle, or to any Iustice of Peace of that Shire, where such person or persons to whom such offer shall be made shall be resiant: And also if such person or persons to whom such offer shall be made, shall happen to receiue any such Agnus Dei, or other thing aboue remembred, and shall within the space of one day next after such receit, deliuer the same to any Iustice of peace within the same Shire, where the partie so receiuing shall be then resiant, or shall happen to be: Then euery such person or persons doing any the acts or things last aboue mentioned, in forme aboue declared, shall not by force of this Statute incurre any danger or penaltie appointed in this Statute, or any other paine or penaltie. 13. Eliz. 2. And that Iustice of peace to whom any such matter shall be declared, shall disclose the same within fourteene dayes after to one of the Queenes priuie Councell, or else he shall incurre the danger of Præmunire, prouided by the Statute made Añ 16. R. 2. S. Iustice of peace 103.

Withdrawing the Subiects from their obedience to the Queene.

7 All persons whatsoeuer, which haue, or shall haue, or shall pretend to haue power, or shall by any wayes or meanes put in practize, to absolue, perswade, or withdraw any of the Queenes Maiesties Subiects, or any within any her Highnesse Dominions, from their naturall obedience to her Maiestie, or to withdraw them for that intent from the Religion now by her Highnesse authoritie established within her Dominions, to the Romish Religion, or to moue them, or any of them, to promise any obedience to any pretended authoritie of the See of Rome, or of any other Prince, State, or Potentate, to be had or vsed within her Dominions: Or shall do any ouert act, to that intent or purpose, and euery of them, shall be to all intents adiudged to be Traitors: And being thereof lawfully conuicted, shall haue iudgement, suffer, and forfait, as in case of high Treason. And if any person shall by any meanes be willingly absolued, or withdrawen, as aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended authoritie, Prince, State, or Potentate, as is aforesaid: Then euery such person, their procurors, and counsalors thereunto, being thereof lawfully conuicted, shall be taken, tried, and iudged, and shall suffer and forfait, as in cases of high Treason. 23. Eliz. 1. S. Recusants 49.

Reconciling, or being reconciled.

Aydors and maintainors of the offenders.

8 All and euery person and persons, that shall wittingly be aidors, or maintainors of such persons so offending, as is aboue expressed, or of any of them, knowing the same, or which shall conceal any offence aforesaid, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Iustice of Peace, or other higher Officer: shall be taken, tried, and iudged, and shall suffer and forfait as offendors in Misprision of Treason. 23. Eliz. 1. S. Triall 8.

Misprision.

1 The punishment of Iesuites, and Priests, which come into this Realme, and of those which receiue them. S. Iesuites.

2 For Buls, Breues, Faculties, and Dispensations from Rome. S. 28. H. 8. 16.

Sacraments and Seruice Diuine.

Vnreuerent speaking against the Sacrament.

IF any person shall by any contemptuous words, depraue, despise, or contemne the Sacrament of the body and blod of Christ, or speake against the receiuing thereof,

thereof, vnder both kinds, or shall aduisedly in any otherwise contemne, despise or reuile the same, he shall suffer imprisonment, and make fine at the Kings pleasure. 1. Ed. 6. 1. 1. Eliz. 1. S. Iustice of peace 8.

2 The Booke of Common Prayer and administration of Sacraments, Rites, and Ceremonies, set forth by authority of Parliament An. 5. & 6. Ed. 6. (with one alteration or addition of certaine Lessons to be vsed on euery Sunday in the yeare, and the forme of the Letany altered and corrected, and two Sentences onely added in the deliuerie of the Sacrament to the Communicants, and none other, or otherwise) shall stand and be in full force and effect. And all and singuler Ministers in any Cathedrall or Parish Church, or other place within this Realme of England, Wales, and the Marches of the same, or other the Q. dominions, shall be bound to say and vse the Mattens, Euensong, Celebration of the Lords Supper, and Administration of each of the Sacraments, and all their Common and open Prayer, in such order and forme as is mentioned in the said Booke. And if any maner of Parson, Vicar, or other whatsoeuer Minister, that ought, or should sing or say Common Prayer mentioned in the said Booke, or minister the Sacraments, refuse to vse the said Common Prayers, or to minister the Sacraments in such Cathedrall or Parish Church, or other places, as he should vse to minister the same, in such order & forme as they be mentioned and set forth in the said Booke, or shall wilfully, or obstinately, standing in the same, vse any other rite, ceremonie, order, forme, or manner of celebrating of the Lords Supper, openly or priuely, or Mattens, Euensong, Administration of the Sacraments, or other open Prayers then is mentioned and set forth in the said Booke (Open Prayer is ment that Prayer which is for other to come vnto, or heare, either in common Churches, or priuate Chappels, or Oratories, commonly called the Seruice of the Church) Or shall preach declare or speake any thing in the derogation or deprauing of the said Bookes, or any thing therein contained, or of any part thereof, and shall be thereof lawfully conuicted, according to the Lawes of this Realme, by verdict of xij. men, or by his owne confession, or by the notorious euidence of the fact, shall lose and forfait to the Queenes Highnesse, her heires and successors, for his first offence, the profit of all his spirituall Benefices or promotions, comming or arising in one whole yeare next after this conuiction. And also the person so conuicted, shall for the same offence, suffer imprisonment by the space of fiue Monethes, without baile or mainprise. And if any such person once conuict of any offence concerning the premisses, shall after his first conuiction eftsones offend, and be thereof in forme aforesaid lawfully conuict: then the same person shall for his second offence suffer imprisonment by the space of one whole yeare, and also shall therefore be depriued, Ipso facto, of all his spirituall promotions. And it shall be lawfull to all Patrons or Donors of all and singuler the same spirituall promotions, or of any of them, to present or collate to the same, as though the person or persons so offending were dead. And if any such person and persons, after he shall be twice conuict in forme aforesaid, shall offend against any of the premisses the third time, and shall be thereof in forme aforesaid lawfully conuicted: then the person so offending, and conuicted the third time, shall be depriued Ipso facto, of all his spirituall promotions, and also shall suffer imprisonment during his life. 1. Eliz. 2.

Common prayer, and administratiō of Sacraments.

The penaltie for vsing any other common prayer.

The second offence.

3 And if the person that shall offend, and be conuicted in forme aforesaid concerning any of the premisses, shall not be beneficed, nor haue any spirituall promotion: then the same person so offending, and conuict, shall for the first offence suffer imprisonment during one whole yeare, next after his said conuiction, without baile or mainprise. And if any such person, not hauing any spirituall promotion after his first conuiction, shall eftsones offend in any thing concerning the premisses, & shall

An offendor hauing no spirituall liuing.

ſhall in forme aforeſaid be thereof lawfully conuicted: Then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment during his life. 1. Eliz. 2.

Deprauing the Booke of Common prayer, or procuring other.

4 If any perſon or perſons whatſoeuer, ſhall in any Enterludes, Playes, Songes, Rymes, or by other open words, declare or ſpeake any thing in the derogation, deprauing, or deſpiſing of the ſame Booke or of any thing therein contained, or any part thereof, or ſhall by open fact, deede, or by open threatnings, compell or cauſe, or otherwiſe procure or maintaine any Parſon, Vicar, or other Miniſter, in any Cathedrall or Pariſh Church, or in Chappell, or in any other place, to ſing or ſay any Common or open Prayer, or to miniſter any Sacraments, otherwiſe or in any other maner & forme, then is mentioned in the ſaid booke, or by any of the ſaid meanes ſhall vnlawfully interrupt, or let any Parſon, Vicar, or other Miniſter in any Cathedrall or Pariſh Church, &c. to ſing or ſay Common & open Prayer, or to miniſter the Sacraments, or any of them, in ſuch maner & forme as is mentioned in the ſaid Booke: then euery ſuch perſon being thereof lawfully conuicted in forme aboueſaid, ſhal forf. to the M. her heirs and ſucceſſors, for the firſt offence C. Markes. And if any perſon or perſons being once conuict of any ſuch offence eftſones offend againſt any of the laſt recited offences, and ſhall in forme aforeſaid be thereof lawfully conuict: then the ſame perſon ſo offending and conuict, ſhall for the ſecond offence forf. to the M. her heires &c. 400. Markes. And if any perſon, after he in forme aforeſaid, ſhall haue bẽ twice conuict of any offence concerning any of the laſt recited offences, ſhall offend the third time, & be thereof in forme aboueſaid lawfully conuict: Then euerie perſon ſo offending & conuict, ſhall for his third offence, forfait to the M. all his goods and catels, & ſhall ſuffer impriſonment during his life. And if any perſon or perſons that for his firſt offence concerning the premiſſes ſhall be conuict in forme aforeſaid, do not pay the ſumme to be paied by vertue of his conuiction, in ſuch maner and forme as the ſame ought to be paied within vj. weekes nert after his conuiction: Then euery perſon ſo conuict, and ſo not paying the ſame, ſhall for the ſame firſt offence, in ſtéed of the ſaid ſumme, ſuffer impriſonment by the ſpace of vj. Monethes, without bayle or mainprize. And if any perſon or perſons that for his ſecond offence concerning the premiſſes, ſhall be conuict in forme aforeſaid, do not pay the ſaid ſumme to be paied by vertue of his conuiction and this eſtatute, in ſuch maner and forme as the ſame ought to be paied, within vj. weekes nert after his ſaid ſecond conuiction: Then euery perſon ſo conuicted, and not ſo paying the ſame, ſhall for the ſame ſecond offence, in the ſtéed of the ſaid ſumme, ſuffer impriſonment during ry. Monethes, without bayle or mainprize. 1. Eliz. 2.

Euery perſon ſhall reſort to the Church.

5 All and euery perſon and perſons inhabiting within this Realme, or any other the Quénes dominions, ſhall diligently and faithfully, hauing no lawfull or reaſonable excuſe to be abſent, endeuour themſelues to reſort to their Pariſh Church or Chappell accuſtomed, or vpon reaſonable let thereof, to ſome vſuall place where Common Prayer and ſuch ſeruice of GOD ſhall be vſed in ſuch time of let vpon euery Sunday, and other daies ordained and vſed to be kept as Holie daies, and then and there to abide orderly and ſoberly, during the time of the Common Prayer, Preachings, or other ſeruice of God, there to be vſed and miniſtred, vpon paine of puniſhment by the cenſures of the Church, and alſo vpon paine that euerie perſon ſo offending, ſhall forf. for euery ſuch offence ry. ſ. to be leuied by the Churchwardens of the Pariſh where ſuch offence ſhall be done, to the vſe of the poore of the ſame pariſh, of the goods, lands, & tenements of ſuch offendor, by way of diſtreſſe. 1. Eliz. 2.

within what time the offendor ſhall be indicted,

6 No perſon or perſons ſhall be at any time hereafter impeached, or otherwiſe moleſted, of, or for any the offences aboue mentioned, hereafter to be committed or done contrarie to this Act, vnleſſe he or they ſo offending be thereof indicted at

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the next generall Sessions to be holden before the Iustices of Oyer and terminer, or Iustices of Assise, next after any offence committed or done contrary to the tenor of this Act. 1. Eliz. 2.

7 All and euery Iustices of Oier and determiner, or Iustices of Assise, shall haue full power and authoritie in euerie of their open and generall Sessions, to enquire, heare, and determine all, and all maner of offences, that shall be committed or done contrarie to any article contained in this present Act, within the limits of the commission to them directed, and to make proces for the execution of the same, as they may do against any person being indicted before them of trespas, or lawfully conuicted thereof. And all and euerie Archbishop and Bishop, shall or may at all time & times, at his libertie and pleasure, ioine and associate himselfe by vertue of this Act, to the said Iustices of Oyer and determiner, or to the said Iustices of Assise, at euery of the said open and generall Sessions to be holden in any place within his Diocesse, for and to the enquirie, hearing, and determining of the offences aforesaid. And the Maior of London, and all other Maiors, Bailifes, & other head Officers, of all and singuler Cities, Boroughes, and Townes corporat, within this Realme, Wales, and the Marches of the same, to the which Iustices of Assise do not commonly repaire, shall haue full power to enquire, heare, and determine the offences abouesaid, and euery of them yearely within xv. daies after the feast of Easter, and S. Michaell tharchangell, in like maner and forme, as Iustices of Assise and Oyer and determiner may doe. 1. Eliz. 2. Who may enquire of, and punish the offences.

8 All and singuler Archbishops and Bishops, and euery of their Chauncellors, Commissaries, Archdeacons, and other Ordinaries, hauing any peculier Ecclesiasticall iurisdiction, shall haue full power and authoritie by vertue of this Act, aswell to enquire in their Visitation, Synodes, and elsewhere within their iurisdiction at any other time and place, to take accusations and informations of all and euerie the things aboue mentioned, done, committed, or perpetrated, within the limits of their iurisdictions and authoritie, and to punish the same by admonition, excommunication, sequestration, or depriuation, & other censures and proces, in like forme as heretofore hath bẽ vsed in like cases by the Q. ecclesiasticall Laws. 1. Eliz. 2. The Ordinary.

6 Whatsoeuer person offending in the premisses, shall for their offences first receiue punishment of the Ordinary, hauing a Testimoniall thereof vnder the said Ordinaries seale, shall not for the same offence eftsones be conuicted before the Iustices. And likewise receiuing for the said first offence punishment by the Iustices, he shall not for the same offence eftsones receiue punishment of the Ordinarie: any thing &c. notwithstanding. 1. Eliz. 2. Not once punished for one offence.

10 Such ornaments of the Church, and of the Ministers thereof, shall be reteined, and be in vse as was in this Church of England, by authoritie of Parliament in An 2. Ed. 6. vntill other order shall be therein taken by the authoritie of the Quæne, with the aduise of her Commissioners appointed and authorized vnder the great Seale of England for causes Ecclesiasticall, or of the Metropolitane of this Realme. And also if there shall happen any contempt or irreuerence to be vsed in the Ceremonies or rites of the Church, by the misusing of the orders appointed in this Booke: the Q. may by the like aduise of the said Commissioners or Metropolitane, ordaine and publish such farther Ceremonies or Rites, as may be most for the aduancement of Gods glory, the edifying of his Church, & the due reuerence of Christs holy Mysteries and Sacraments. 1. Eliz. 2.

11 Euery person which shall say or sing Masse, being thereof lawfully conuicted, shall forfait the summe of CC. Markes, and be committed to prison in the next Gaole, there to remaine by the space of one yeare, and from thencefoorth till Saying or hearing of Masse.

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he haue paied the ſaid ſumme of CC. Markes. And euery perſon which ſhall willingly heare Maſſe, ſhall forfait the ſumme of C. Markes, and ſuffer impriſonment for a yeare 23. Eliz. 1.

1 Arreſting a Prieſt which is doing diuine Seruice. S. Arreſts 1.

2 That there ſhall be a Bible, and a booke of Common Prayer in euery Pariſh Church in Wales, in the Welch tongue, and an other in the Engliſh tongue. S. Wales 125. 126.

3 Diuine Seruice ſhall be ſayd yearely vpon the fift day of Nouember. S. 3. Iacob. 1.

Safeconducts.

What things be requiſite to make ſafeconducts effectuall.

IN euery Safeconduct to be graunted to any perſon or perſons, the names of the owners of the Ships, and of the Maſters, and the number of the Mariners, with the carriage of the ſhips ſhall be expreſſed, 15. H. 6. 3. And if any ſhips or veſſels charged with marchandize, of any Marchants being the Kings enemies be taken vpon the Sea by any of the Kings liege people, if the Maſters, poſſeſſors, or Marchants of ſuch ſhips, &c. haue not within the bord of their ſhips &c. at the day of the taking of them, the kings Letters patents of his Safeconduct, ſuertie, or ſauegard for ſuch Ships &c. and marchandize, making mention of the names of the Ships &c. and of the name of the Maſter of the ſame: Or the ſaid Letters patents the day of the taking be not inrolled of record in the Chauncery, then the takers and poſſeſſors of the goods and Marchandizes may continually enioy and hold them without making any reſtitution of the ſame 18. H. 6. 8. And all Letters of ſafeconduct graunted to any of the kings enemies, or other which be not inrolled of record in the Chauncery before the deliuery of them to whom they be granted ſhall be void. 20. H. 6. 1.

Enrolemēt of ſafeconduct.

Taking of their ſhips which haue ſafeconduct.

2 If any of the Kings ſubiects do take any Ships of any of the kings enemies loden with marchandize, not hauing nor ſhewing ſuch letters of ſafeconduct within the ſaid Ships at the time of the taking of them, and doe lead them away with force to any place within the Realme, they ſhall not be endammaged for ſuch taking, if they be ready to make reſtitution of ſuch ſhips and marchandizes, within reaſonable time after notice is giuen to them of ſufficient ſafeconduct for the ſame ſhips & marchandize, inrolled in the Chauncerie of record before the taking thereof 20. H. 6. 1.

Reſtitution to one hauing a ſafeconduct which is robbed.

3 If any of the Kings ſubiects attempt, or offend vpon the Sea, or in any Port within this Realme vnder his obeiſance againſt any ſtranger being vpon the Sea or in any Port aforeſaid, by way of amitie, league, or truce, or by force of the Kings ſafeconduct or ſafegard, in any wiſe, and ſpecially in attaching of any ſuch ſtrange perſon, robbing or ſpoyling of him, his ſhip, or any other goods, or againſt any other perſon of his liege people: The Chancellor of England hath authority, calling to him any of the Juſtices of the one Bench or of the other, vpon a bill or billes of complaint to him made in this behalfe, to make ſuch proces out of the ſaid Chancery, aſwell againſt all ſuch offenders, to bring them into the Chancerie, there to anſwere to the parties ſo grieued in this behalfe, as againſt any other perſon or perſons, to whoſe hands, any ſuch perſon ſo attached, ſhip, or goods ſhall come, as for the deliuerance and reſtitution by them to be made of the ſame perſon, ſhip, and goods, as ſhall ſéeme to the ſame Chancellor moſt expedient. And vpon this proceſſe, the ſaid Chauncellor further ſhall proceed in this matter, if the caſe do ſo require, by aduiſe of any ſuch Juſtice, to make the ſtrangers ſo grieued to haue full reſtitution of any ſuch perſon ſo attached, and of all ſuch ſhips and goods, and alſo of all their coſts, expences, and loſſes ſuſtained by them in this behalfe,

behalfe, and thereupon to make all manner of execution out of the said Chancerie in such forme, as shall seeme to the said Chauncellor most expedient for such deliuerance, and restitution to be had, calling to him any such Iustice, as is aforesaid. 31.H.6.4.

1 All Aliens being in amitie with the King, which bring in victuals, shall be vnder the Kings safeconduct. S. Victuals 2. Marchants 1.

Second Deliuerance.

AS soone as returne of the cattell is awarded to him which did distraine the same, the Sherife shalbe commaunded by a iudiciall writ to make returne of the cattell to the party which toke the distresse, in which writ it shall be expressed, that the Sherife shall not deliuer them without a writ, making mention of the iudgement giuen by the Iustices, which cannot be without a writ issuing out of the rols of the same Iustices, before whom the matter was in suit. And if he which is distrained, do go vnto the Iustices, and do desire to haue the same cattell repleuied vnto him againe, he shall haue a iudiciall writ, that the Sherife (taking suretie to prosecute the suit, and to returne the cattell, or their price, if returne be awarded) shall deliuer vnto him his beasts or cattel before returned, and he which distrained, shall be attached to appeare at a certaine day before the Iustices, before whom the suit shall be determined in the presence of the parties. And if he which repleuied the cattell, do make default againe, or for any other cause, returne of the distresse shall be awarded, now twice repleuied, the distresse shall for euer remaine irrepleuisable. But if a distresse be taken of new, and for a new cause, the proces vsed in the repleuin shall be awarded. W.2.13.El.1.2.S.Repleuin 2.3.

1 Where the auowant in Second Deliuerance, shall recouer damages and costs. S. Damages. 8.

2 Auowry, iustification, or cognusance may be made vpon the land, in second deliuerance, without naming any person certaine. S. Auowrie 1.

Sewers.

COmmissions of Sewers &c. shall be directed in all parts within this Realme from time to time for euer (3.E.6.9.) where and when neede shall require, according to the forme and effect hereafter ensuing, to such substantiall & indifferent persons as shall be named by the Lord Chauncellor, and Lord Treasurer of England, & the two chiefe Iustices for the time being, or by three of them, whereof the Lord Chauncellor to be one.

The forme of the Commission of Sewers.

2 Iames &c. Know ye, that for as much as the wals, ditches, bankes, gutters, sewers, gotes, callies, bridges, streames, and other defences by the coastes of the Seas and Marsh ground, being and lying within the limits of A. B. or C. in the Countie or Counties of L. M. or in the borders or confines of the same, by rage of the Sea, flowing, and reflowing, and by meane of the trenches of fresh waters descending and hauing course by diuers waies to the Sea, be so dirupt, lacerate, and broken, And also the common passages of ships, balengers & boates, in the riuers, streames, and other flouds within the limits of A. B. or C. in the countie or counties of L. M. or in the borders or confines of the same, by meane of setting vp, erecting, and making of streames, milnes, bridges, ponds, fishgarths, mildams, lockes, hebbing weares, hecks and floudgates, or other like iets, impediments, or annoyances be letted and interrupted, so that great and inestimable damage for default of reparation of the said wals, ditches, trenches, sewers, gotes, gutters, callies, bridges, and streames, and also by meane of setting vp, erecting, making,

making, and enlarging of the ſaid fiſh-garths, mildams, locks, hebbing weares, heckes, floudgates, and other like annoyances in times paſt hath happened, & yet is to be feared, that farre greater hurt, loſſe, and dammage is like to enſue, vnleſſe that ſpædie remedie be prouided in that behalfe: We therefore, for that by reaſon of our dignitie and prerogatiue royall, we be bound to prouide for the ſafetie and preſeruation of our Realme of England, willing, that ſpædie remedie be had in the premiſſes, haue aſſigned you, and fiue of you, of the which, we will that A. B. and C. ſhall be three, to be our Iuſtices, to ſuruey the ſaid wals, ſtreames, ditches, bankes, gutters, ſewers, gotes, cauſies, bridges, trenches, milnes, mildams, floudgates, ponds, lockes, hebbing weares, and other impediments, lets, and annoyances aforeſaid, and the ſame cauſe to be made, corrected, repaired, amended, put downe, or reformed, as cauſe ſhall require, after your diſcretions, and therein as well to ordaine and do after the forme, tenor, and effect of all & ſingular the Statutes and Ordinances made touching the premiſſes, or any of them, as alſo to enquire by the oathes of the honeſt and lawfull men of the ſaid Shire, or Shires, place, or places, where ſuch defaults or annoyances be, as well within liberties, as without (by whom the truth may the rather be knowne) through whoſe defaults the ſaid hurts and dammages hath happened, and who hath, or holdeth any lands or tenements, or common of paſture, or profite of fiſhing, or hath, or may haue any hurt, loſſe, or diſaduantage by any manner of meanes in the ſaid places, as well neere to the ſaid dangers, lets and impediments, as inhabiting or dwelling thereabout, by the ſaid wals, ditches, bankes, gutters, gotes, ſewers, trenches, and other the ſaid impediments and annoyances. And all thoſe perſons, and euery of them, to take, aſſeſſe, charge, diſtraine, and puniſh as well within the meets, limits, and bounds of old time accuſtomed, or otherwiſe, as elſewhere within our Realme of England, after the quantitie of their lands, tenements, and rents, by the number of acres and perches, after the rate of euery perſons portion, tenure, or profite, or after the quantitie of their common of paſture, or profite of fiſhing, or other commodities there, by ſuch wayes and meanes, and in ſuch manner and forme, as to you, or 6. of you, whereof the ſaid A. B. and C. to be three, ſhall ſeeme moſt conuenient to be ordained and done, for redreſſe and reformation to be had in the premiſſes. And alſo to reforme, repaire, and amend the ſaid wals, ditches, bankes, gutters, ſewers, gotes, cauſies, bridges, ſtreames, and other the premiſſes in all places needefull, and the ſame as often, and where need ſhall be, to make new. And to cleanſe and purge the trenches, ſewers, and ditches in all places neceſſarie. And further, to reforme, amend, proſtrate, and ouerthrow all ſuch mils, ſtreames, ponds, lockes, fiſh-garths, hebbing weares, and other impediments and annoyances aforeſaid, as ſhall be found by inquiſition, or by your ſurueying and diſcretions to be exceſſiue or hurtfull. And alſo to depute and aſſigne diligent, faithfull, and true keepers, bayliſes, ſurueyors, collectors, expenditors, and other Miniſters and Officers, for the ſafetie, conſeruation, reparation, and making of the premiſſes, and euery of them, and to heare the account of the collectors and other miniſters, of, and for the receit and laying out of mony, that ſhall be leuied and paid, in and about the making, repairing, reforming, and amending of the ſaid wals, ditches, bankes, gutters, gotes, ſewers, cauſies, bridges, ſtreames, trenches, mils, ponds, lockes, fiſhgarths, floudgates, and other impediments and annoyances aforeſaid. And to diſtraine for the arrerages of euery ſuch collection, take, or aſſeſſe, as often as ſhall be expedient, or otherwiſe to puniſh the debtors and detainors of the ſame, by fines, amerciaments, paines, or other like meanes, after your good diſcretions, and alſo to arreſt, and take as many carts, horſes, oxen, beaſts, and other inſtruments neceſſarie, and as many workmen and labourers, as for the ſaid workes and reparation ſhall ſuffice, paying for the

Reforming of annoyances.

Inquirie by whoſe default the damages chance.

Aſſeſſing of the inhabitants.

Taking away the impediments.

Officers for the repaire of annoyances.

Taking of workemen, and things neceſſary.

the ſame competent wages, ſalarie, & ſtipend in that behalfe. And alſo to take ſuch, & as many trees, woods, vnderwoods, & timber, & other neceſſaries, as for the ſame workes & reparations ſhall be ſufficient at a reaſonable price, by you, or ſix of you (of which we will that A.B. & C. ſhal be ij.) to be aſſeſſed or limitted, aſwel within the limits & bounds aforeſaid, as in any other place within the ſaid Countie or Counties, neere vnto the ſaid places. And to make and ordaine ſtatutes, ordinances, and prouiſions from time to time, as the caſe ſhall require, for the ſafegard, conſeruation, redreſſe, correction, & reformation of the premiſſes, & of euery of them, & the parties lying to the ſame neceſſary & behoofefull, after the Laws and Cuſtomes of Romney Marſh in the Countie of Kent, or otherwiſe by any waies or meanes after your owne diſcretions. And to heare & determine all & ſingular the premiſſes, as well at our ſuit, as at the ſuit of any other whatſoeuer, complaining before you, or 6. of you, whereof A.B. & C. ſhall be three, after the Laws & Cuſtoms aforeſaid, or otherwiſe by any other wayes & meanes after your diſcretions. And alſo to make & direct all writs, precepts, warrants, or other commaundements, by vertue of theſe preſents, to all Sheriffes, Bailifes, & al other Miniſters, Officers, & other perſons, as well within liberties as without, before you, or 6. of you, whereof the ſaid A.B. and C. to be three, at certaine daies termes, and places to be prefixed, to be returned and receiued, and further to continue the proces of the ſame. And finally to doe all and euery thing and things as ſhall be requiſite for the due execution of the premiſſes, by all wayes and meanes after your diſcretions. And therefore we commaund yon, that at certaine dayes and places, when and where you, or ſixe of you (whereof the ſaid A.B. and C. to be three) ſhall thinke expedient, you do ſurely the ſaid wals, fences, ditches, bankes, gutters, gotes, ſewers, cauſeyes, ponds, bridges, riuers, ſtreames, watercourſes, mils, lockes, trenches, fishgarths, ſludgates, and other the lets, impediments, and annoyances aforeſaid, and accompliſh, fulfill, heare, and determine, all and ſingular the premiſſes in due forme, and to the effect aforeſaid, after your good diſcretions. And all ſuch as you ſhall find negligent, gain-saying, or rebelling in the ſaid workes, reparations, or reformation of the premiſſes, or negligent in the due execution of this our commiſſion, that ye do compell them by diſtreſſe, fines, and amerciaments, or by other puniſhments, waies, or meanes, which to you, or ſixe of you (whereof the ſaid A.B. and C. ſhall be three) ſhall ſeeme moſt expedient, for the ſpeedie remedie, redreſſe, and reformation of the premiſſes, and due execution of the ſame. And all ſuch things as by you ſhall be made and ordained in this behalfe, aſwell within liberties as without, that you do cauſe the ſame firmely to be obſerued, doing therein, as to our Juſtices appertaineth, after the lawes and Stat. of this our Realme, and according to your wiſedomes and diſcretions: Saued alwayes to vs ſuch fines and amerciaments, as to vs thereof ſhall belong. And we alſo commaund our Sheriffe or Sheriffes, of our ſaid Countie or Counties of L. M. that they ſhall cauſe to come before you, or ſixe of you (of the which A.B. & C. ſhal be three) at ſuch dayes and places, as you ſhall appoint them, ſuch and as many honeſt men, of his or their Bailiwike, aſwell within the liberties as without, by whom the troth may beſt be knowne, to enquire of the premiſſes, commaunding alſo all other miniſters and officers, aſwell within liberties as without, that they and euerie of them ſhall be attendant to you, in and about the due execution of this our Commiſſion. In witneſſe &c.

Ordinances conſtituted.

Heare & determine offences.

Directing of writs & precepts.

All officers ſhalbe attendant to the Commiſſioners of Sewers.

3 Euerie ſuch perſon as ſhall be named Commiſſioner in the ſaid Commiſſion, after he hath knowledge thereof, ſhall effectually put his attendance about the execution of the ſaid Commiſſion, and before he ſhall take vpon him the execution thereof, he ſhall take a corporall oath before the Lord Chauncellor, or before ſuch to whom the Lord Chancellor ſhall direct the Kings writ of Dedimus poteſtatem

The Cõmiſſioners oath.

to take the ſame, or before the Iuſt. of Peace in the Quarter Seſſions, holden in the ſhire where ſuch Commiſſion ſhall be directed. The tenor of which Oath hereafter enſueth. 23.H.8.5.

The Cõmiſſioners Oath.

4 Ye ſhall ſweare, that you to your cunning, wit, and power, ſhall truely and indifferently execute the authority to you giuen by this Commiſſion of Sewers, without any fauour, affection, corruption, dread, or malice, to be borne to any manner perſon or perſons. And as the caſe ſhall require, ye ſhall conſent and endeuour your ſelfe for your part to the beſt of your knowledge and power, to the making of ſuch holeſome, iuſt, equall, and indifferent lawes & ordinances, as ſhall be made and deuiſed by the moſt diſcreet & indifferent number of your fellowes being in Commiſſion with you, for the due redreſſe, reformation, & amendement of all and euery ſuch things as are contained and ſpecified in the ſaid Commiſſion. And the ſame lawes and ordinances to your cunning, wit, and power, cauſe to be put in due execution, without fauor, meed, dread, malice, or affection, as God you helpe &c. 23.H.8.5.

The Cõmiſſioners authoritie.

5 The Commiſſioners named in any of the ſaid Commiſſions, according to the purport and effect of the ſame Commiſſions, haue authority to make & ordain lawes, ordinances, and decrées, and further to do all and euery thing mentioned in the ſaid Commiſſion, according to the purport, effect, words, and true meaning of the ſame. And the ſame lawes and ordinances ſo made, to reforme, repeale, and amend, and make new, from time to time, as the caſes neceſſary ſhall require in that behalfe. 23.H.8.5. And all ſuch lawes, ordinances, and conſtitutions, as be or ſhall be duely made by force of any ſuch Commiſſion, according to the tenor and effect limitted in any ſtatute made (before 2. Apr. An. Do. 1571.) touching Commiſſion of Sewers, and being written in parchment indented, & vnder the ſeales of the ſaid Commiſſioners, or 6. of them (whereof the one part ſhall remaine with the Clerke appointed for the Commiſſion of Sewers for the time being, and the other in ſuch place as the ſame Commiſſioners, or 6. of them ſhall appoint) ſhall without any certificat thereof to be made into the Chauncerie, and without the royall aſſent to the ſame had, continue in full force and effect, notwithſtanding any determination of any ſuch Commiſſion by Superſedeas, vntill ſuch time as the ſame lawes &c. ſhalbe altered or repealed by the Commiſſioners after to be aſſigned for Sewers in thoſe parts where the ſame lawes &c. were made, or by 6. of them. 13.Eliz.9.

How long the Commiſſioners decrées ſhall continue.

Cõmiſſioners for the countie of Glamorgan

6 The foreſaid act of 23.H.8. and all Commiſſions of Sewers, to be directed according to the tenor of the ſame, ſhall extend & giue authority, that the Commiſſioners therein named for the Counties of Glamorgan, or 6. of them (whereof three to be of the Quorum) ſhall haue full authority from time to time to make ſuch lawes, prouiſions, and decrées within the ſaid Countie of Glamorgan, for the redreſſe, and ſauing the grounds there from hurt or deſtruction, by reaſon of ſand riſing out of the ſea, and driuen to land by ſtormes and windes, as they may doe by the ſaid former Act and Commiſſion, for the auoiding of the outrageous courſe of the ſea, and other waters. 1.M.Par.2.11.

The Cõmiſſioners decrée ſhal bind other mens land.

7 If any perſon being tared to any lot or charge, for any lands, tenements, or hereditaments, within the limits of any Commiſſion, do not pay the ſame, according to the ordinance of the Commiſſioners, hauing power of the execution of the ſaid Commiſſion, by reaſon whereof it ſhall happen, the ſaid Commiſſioners for lacke of payment of ſuch lot & charge, to decrée, & ordain the ſame lands &c. from the owner thereof and his heires, to any perſon or perſons for terme of yeares, terme of life, in fee ſimple, or in taile, for payment of the ſame lot & charge: Then euery ſuch decrée and ordinance ſo by them made, ingroſſed in parchment, and ſealed, ſhal bind euery perſon, that, at the making of the ſame decrée, had any intereſt in ſuch

lands

lands &c. in vſe, poſſeſſion, reuerſion, or remainder, their heires, and feoffées, and euery of them. 23. H. 8. 5.

8 The ſame lawes, ordinances, and decrées, made by the ſaid Commiſſioners or 6. of them, by authority of the ſaid Commiſſion, ſhall bind as well the lands, tenements, & hereditaments of the King, as all other perſons and their heires, and ſuch their intereſt as they ſhal or may haue in any lands &c. or other caſual commodities whatſoeuer, whereunto the ſaid laws &c. ſhall in any wiſe extend, according to the true intent of the ſame laws. 23. H. 8. 5. And all ſcots, lots, and ſummes of money to be rated and tared by vertue of ſuch Commiſſion of Sewers, vpon any the landes &c. of the King, for any thing concerning the articles of the ſaid Commiſſion, ſhall be gathered & leuied by diſtreſſe, or otherwiſe, in like manner as ſhall or may be done in the lands of any other perſon. And all bills of acquittance, ſigned with the hand of ſuch collector or receiuer, as ſhall haue the collection thereof, by the appointment of the ſaid Commiſſioners, or 6. of them, ſhall be as well a ſufficient diſcharge to the tenants, farmers, & occupiers of the ſame grounds, ſo to be charged for the ſaid ſumme, wherewith their ground ſhall be ſo charged, as alſo a ſufficient warrant to euery receiuer, auditor, & other whatſoeuer officer of the King &c. for the allowance to ſuch tenant &c. for the ſame. 3. Ed. 6. 8.

The Cõmiſſioners decrée ſhall bind the K. & all other perſons lands.

9 No perſon ſhall be compelled to be ſworn, or otherwiſe bound to ſit or trauell in the execution of any Commiſſion of Sewers, vnleſſe he be dwelling within the Countie, whereof he ſhalbe aſſigned to be Commiſſioner. 25. H. 8. 10.

Cõmiſſioners ſhall be dwelling within ỹ ſame Countie

10 If any perſon aſſigned to be ſuch Commiſſioner of Sewers, being required by ſuch as ſhall haue authority by the K. writ, or otherwiſe, to receiue the oath aforeſaid, doth refuſe to take the ſame oath, or vpon that requeſt made, doth not receiue the ſame, and that refuſall or contempt be done in the Chauncerie, or returned into the Chauncerie with the ſaid writ, he ſhall forf. for the ſame contempt to the King v. markes. And ſo to loſe from time to time v. markes for euery ſuch contempt, as ſhall be done or returned into the ſaid Chauncerie againſt any ſuch perſon, vnleſſe that he in the ſame Chauncerie do ſhew in the ſaid terme wherein ſuch returne ſhall be made, ſufficient cauſe to be allowed by the Lord Chauncellor for his excuſe in that behalfe. 25. H. 8. 10.

Refuſall to take the oath.

11 If any perſon do take vpon him to ſit by vertue of any of the ſaid Commiſſions, not being before ſworne in forme as is aforeſaid, and according to the tenor of the oath before ſpecified: Or if any perſon ſo named & ſworne, doe ſit, not hauing lands & tenements, or other hereditaments in fée ſimple, fée taile, or for terme of life, to the cleare yearely value of 40. markes, aboue all charges, to his owne vſe (except he be reſiant & free of any citie, borough, or towne corporate, & haue moueable ſubſtance of the cleare value of 100. l. or els be learned in the Lawes of this Realme, and admitted in one of the 4. principall Innes of Court for an vtter barreſter) he ſhall forf. 40. l. for euery time that he ſhall attempt ſo to doe, to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. or P. 23. H. 8. 5.

None ſhall ſit except he be ſworne.

Of what liuing or degrée euery Cõmiſſioner ought to be.

12 No Farmor for terme of yeares, of any lands or tenements lying within the precincts of any ſuch Commiſſion of Sewers, which be or hereafter may be ordered and chargeable by any ordinances or conſtitutions made or to be made, by vertue of any ſuch Commiſſion, wherein he ſhall be appointed Commiſſioner, (not hauing eſtate of freehold within the realm of England, in lands or tenements of the yearely value of x. l.) ſhall haue power to ſit, or in any wiſe intermeddle with the execution of ſuch Commiſſion, during the time he ſhal continue Farmor of any ſuch lands, & ſhal not haue eſtate of Freehold, as is aforeſaid: But euery ſuch Commiſſion, as hauing reſpect only to euery ſuch perſon, for ſuch and ſo long time as he ſhall ſo continue farmor of any ſuch lands, ſhall be adiudged in law to be void, any thing in the ſaid Commiſſion, or any ſtatute &c. notwithſtanding. But it ſhall be

A farmor of lands chargeable, ſhall not be Cõmiſſioner within the ſame precinct.

lawfull for any Commissioner, being also a Farmor, & not hauing lands &c. to the cleare yearely value of xl.l. of freehold, to sit by vertue of the said Commission, and haue his voice & full authority with others to make & establish ordinances for Sewers, according to the tenor of the Commission, concerning all lands & tenements within the precinct of euery such Commission, other then such lands &c. as he for the time being shall hold & enioy as Farmor, as he might haue done before the making of this Statute 13. El. 9.

Anowry or iustification of a distresse taken by reason of the Commission of Sewers.

13 If any action of trespas, or other suit shall be attempted against any person for taking of any distresse, or any other Act doing, by authority of the said Commission, or by authoritie of any Lawes or Ordinances made by vertue of the same, the defendant therein shall and may make anowry, cognisance, or iustification for the taking of the same distresse, or other Act doing, touching any of the premisses, alleaging therein, that the said distresse, trespas, or other act, whereof the plaintife complaineth, was done by authority of the Commission of Sewers, for lot or tare assessed by the said Commission, or for such other act or cause, as the said defendant did by authority of the said Commission, and according to the tenor, purport, & effect of the act made 23. H. 8. without any rehearsall of any other matter contained in the said Act, or any Commission, Statutes, or Ordinances thereupon made, whereupon the plaintife shal be admitted to reply, that the defendant did take the said distresse, or did any other act or trespas supposed in his declaration of his own wrong, without any such cause alleaged by the said defendant, whereupon the issue in euery such action shall be ioyned, to be tried by verdict of xij. men, & not otherwise, as is accustomed in other personall actions. And vpon the triall of the issue, the whole matter shall be giuen on both parties in euidence, according to the truth of the same. And after such issue tried for the defendant, or nonsuit of the plaintife after apparance, the said def. shall recouer treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, & that to be assessed by the same Jury, or writ to enquire of damages, as the case shall require. 23. H. 8. 5.

Damages for the defendant.

The Commissioners & Clerkes wages.

14 Euery of the said Commissioners shall haue iiij. s. for euery day that they shall take paine in the execution of this Commission of Sewers, And one Clerke by them assigned vj. s. for euery day, of the rates, tares, lots, & waiues that shall be assessed or lost, by authority of the said Commission, and to be leuied & paid by their discretions. And the said Commissioners, or 6. of them, shall haue authoritie to assigne of the same rates &c. such reasonable summes of money to the said Clerke for writing of bookes, & proces, concerning the premisses, and to the Collectors, Expenditors, and such other as shall take paine in the due execution of the said Commission, as by the said Commissioners, or 6. of them shall be thought reasonable. 23. H. 8. 5.

No certificat of the Commission of Sewers.

15 The said Commissioners shall not be compelled to make any certificat or returne of any of the said Commissions, or of any their ordinances, lawes, or doings, by the authority of any the said Commissions. Nor shall haue any fine, pain, or amerciament, set vpon any of them, or any waies be molested for that cause. But the Clerke appointed for any such Commission, shall yerely truely extreat all the issues, fines, penalties, forfeitures & amerciaments, that shall be answerable to the Q. &c. And the same extreats shal yerely deliuer into the exchequer, at such time, and in such manner, as Justices of the Peace ought to doe, by vertue of their Commission, vpon paine to forf. to the Quene &c. for euerie default fiue pounds. 13 Eliz. 9.

How long the Commission shall continue.

16 Euerie Commission of Sewers shall continue in force x. yeres, next ensuing the date thereof, vnlesse the same shall be repealed or determined by reason of any new commission in that behalfe made, or by Superseders, (for the King shall at his

his pleaſure by his Writ of Superſedeas out of his Chauncerie at any time diſcharge as well euerie ſuch Commiſſion, as euerie Commiſſioner &c. 23. H. 8. 5.) And at all times after the end of tenne yeares next enſuing the date of Teſte of any Commiſſion of Sewers, all ſuch lawes, ordinances, and conſtitutions, as were made by vertue of any ſuch Commiſſion, and written in parchement, indented, and ſealed (without certificat thereof, or the aſſent Royall to the ſame had, as is aforeſaid) ſhall notwithſtanding the determination of any ſuch Commiſſion, by the expiration of the terme of ten yeares, likewiſe continue in force by the ſpace of one whole yeare then next enſuing. And the Juſtices of peace of the Shire and Shires where the ſame lawes, ordinances, and conſtitutions are to be executed within their ſeuerall Commiſſions and limits, or fiue of them (whereof two to be of the Quorum) ſhall haue authoritie by the ſpace of one whole yeare next after the expiration of euerie ſuch Commiſſion to execute the ſame lawes, ordinances, and conſtitutions, and euerie of them, in as ample maner as the Commiſſioners appointed in any Commiſſion ſo expired, might, or ſhould haue done, to all intents, as if the ſaid Commiſſion had continued in force. But if any new Commiſſion of Sewers ſhall be made within the ſaid yeare, then immediatly from and after ſuch Commiſſion newly made and publiſhed, the power of the ſaid Juſtices of the peace, and euerie of them in any wiſe concerning the execution of any ſuch lawes, ordinances, and conſtitutions of Sewers ſhall vtterly ceaſe. 13. El. 9.

Juſt. of P. in ſome caſe ſhall execute the Commiſſion of Sewers.

17 As often as ſuch Commiſſion ſhall be directed to any perſons for the reformation, of, or in any of the premiſſes ſpecified in the ſaid Commiſſion, within the fées, liberties, or poſſeſſion of the Duchie of Lancaſter: Then ſuch Commiſſioners as ſhall execute the ſame, ſhall be appointed by the Lord Chauncellor, and L. Treaſorer of England, and the ſaid two chiefe Juſtices of either Bench, and the Chauncelor of the ſaid Duchie, for the time being, or three of them, whereof the ſaid Lord Chauncellor, and the Chauncellor of the ſaid Duchy to be two. And in euerie ſuch caſe two Commiſſions ſhall be awarded, according to the tenor of the Commiſſion aboue expreſſed, one thereof vnder the great Seale of England, and the other vnder the ſeale of the ſame Duchie. And as often as ſuch Commiſſion ſhall be directed to any perſons for the amendement of, or in any of the premiſſes ſpecified in the ſaid Commiſſion, within the fées, liberties, and poſſeſſions of the principalitie of Wales, the Countie Palantine of Cheſter, or within the fées, liberties, and poſſeſſions of any other place, where there is libertie and iuriſdiction of Countie Palantine: In euerie ſuch caſe two Commiſſions ſhall be awarded according to the tenor of the commiſſion aboue expreſſed, one thereof vnder the great Seale of England, and the other vnder the vſuall Seale of the Countie Palantine, in manner and forme, as is aboue prouided for the Duchy of Lancaſter. 23. H. 8. 5.

Commiſſion within the Duchie of Lancaſter.

Wales, Cheſter.

18 The Chauncellor, and ſuch other as ſhall haue the cuſtody of the Seales of the ſaid principalitie of Wales, or the Countie Palantine of Cheſter, or within the fées, liberties, and poſſeſſions of any other place, where there is libertie and iuriſdiction of Countie Palantine, vpon reaſonable requeſt, and vpon the ſight of the Commiſſion vnder the great Seale, ſhall without delay make out another commiſſion vnder the ſeale of the ſaid Countie Palantine, according to the tenor of the Quenes commiſſion to them ſhewed vnder the great Seale, and to thoſe Commiſſioners as ſhall be named by the Lord Chauncellor, L. Treaſorer, and the two chiefe Juſt or by three of them, whereof &c. (except it be within the fées, & liberties of the Duchy of Lancaſter) within which fées and liberties the Commiſſioners ſhall be named, & Commiſſions made as is before ordained. 23. H. 8. 5.

Commiſſions in Wales, & Counties Palantine.

19 The ſaid Commiſſion from time to time, as the caſe ſhall require, ſhall be obtained without any money, or other charge to be paid for the ſeales or writing

The fées for Commiſſions.

of the ſame, vnleſſe it be to the King vj.s. viij.d. for the ſeale of euery Commiſſion, and for the writing and inrolling of any one Commiſſion v.s. and not aboue. 23. H.8.5. And ſuch and like fées, and none other, nor more ſhall be at any time paid or demaunded for any Commiſſions, and writs of Dedimus poteſtatem, to be ſued out vnder the ſeale of the Duchie, as be mentioned in the ſaid former Act, to be paid in the Chauncerie for Commiſſions and Writs of Dedimus poteſtatem, to be obtained from thence &c. 3.E.6.8. S.Weares.

watercourſes nére to London.

20 The walles, ditches, bankes, gutters, ſewers, gotes, cauſeies, bridges, ſtreames, and watercourſes, within the limits of two miles, of and from the citie of London, which waters haue their courſe, & fall into the riuer of Thames, ſhall from henceforth be to all intents & purpoſes as fully ſubiect to the Commiſſion of Sewers, & to all the Stat. made for Sewers, & to all penalties in the ſame Stat. & in euerie of them contained, as if the ſame places nére to the ſaid citie of London had bén particularly named in the ſaid Stat. of Sewers, or that there the water had ebbed and flowed, and therein frée paſſage with boates and barges to the ſea had been heretofore vſed, Any thing in the ſaid Stat, or elſewhere, to the contrarie in any wiſe notwithſtanding. 3. Iac. 24.

1 After a new Riuer ſhall be brought from ſprings out of the Countie of Hertf. to London, the ſame ſhall be ſubiect to the Commiſſion of Sewers. S.3. Iac. 18.

Sheepe.

Tranſporting of Sheepe.

NO perſon ſhall bring, deliuer, ſend, receiue, or take, or procure to be brought, deliuered, ſent, or receiued into any ſhip, or bottome, any Rams, Sheepe, or Lambes, or any other kind of Sheep being aliue, to be conueied out of any the K. Dominions, vpon paine that euerie ſuch perſon, his aidors, abbettors, procurers, and comforters, ſhall for his firſt offence forf. to the K. and I. all his goods for euer to be recouered &c. wherein no W. &c. E. P. &c. And further euerie ſuch offendor ſhall ſuffer impriſonment one whole yeare, without baile or mainepriſe, and at the yeares end, ſhall in ſome open market Towne, in the fulneſſe of the market on the market day haue his left hand cut off, and that to be nayled vp in the openeſt place of ſuch market. 8. Eliz. 3.

The ſecond offence Felony.

2 And euerie perſon eftſoones offending againſt this Stat. ſhall be adiudged a felon, & ſhall ſuffer death, as in caſes of felonie. But this Act ſhall not extend to any corruption of blod, or be preiudiciall to any woman claiming dower, by or from any ſuch offendor. 8. Eliz. 3. S. Iuſt. of P. 15.

No perſon ſhall kéepe aboue 2000. Sheepe.

3 No perſon ſhall kéepe, occupie, or haue in his poſſeſſion, in his owne proper lands, nor in the grounds of any other, which he ſhall haue or occupie in farme, nor otherwiſe haue of his owne proper cattell in vſe, poſſeſſion, or propertie by any maner of meanes, or couin, aboue the number of 2000. ſheep at one time, within any parts of this Realme, of all ſorts and kinds (alwaies accompting vj. ſcore to the hundred, and ten ſuch hundreds to the thouſand) vpon paine to forf. for euerie ſheepe that any perſon ſhall haue or kéepe aboue the number limitted by this Act, iij.s. iiij.d. to the King and I. &c. to be recouered by A. &c. wherein no W. E. P. &c. But Lambes vnder the age of one whole yeare, and aſmuch as ſhall be from the time of the falling of them, vnto the feaſt of the Natiuitie of S. Iohn Baptiſt, ſhall not be taken for ſheepe prohibited by this Stat. 25. H.8.13.

Lambs.

Sheepe comming by Executorſhip, or marriage.

4 If any perſon hauing ſheepe of his owne, happen to be made executor, or to be adminiſtrator to any perſon which had ſheepe at his death, or happen to be married to any perſon which ſhall haue ſheepe at the time of the mariage, by reaſon whereof the ſaid perſon ſhall by ſuch meanes haue aboue the ſaid number of 2000. then he ſhall loſe no penaltie for hauing aboue the number of 2000. ſheepe by

ſuch

ſuch meanes, ſo that within one yeare next after ſuch aduancement, hée do put to ſale, or otherwiſe diſpoſe ſo many of the ſaid Shéepe, ſo to him aduanced, or elſe of his owne Shéepe that he had before, ſo that aboue one yeare he ſhall not kéepe, haue, or occupie, by any ſuch meanes, or otherwiſe by any fraud, any more number of them, then is before limitted, vpon paine before rehearſed. 25. Hen. 8. 13.

5 If any perſon by his laſt Will giue to any Childe within age, any number of Shéepe, and appoint them by his laſt Will to be kept by his executors, or by any other perſon, vntill the foreſaid childe ſhall come to a certaine age limitted by his will: Then after the death of the Teſtator, the ſaid Shéepe ſo being in the poſſeſſion of the Executors, or of any other perſon, to the vſe of any ſuch child within age, for the time that he ſhall be limitted to haue the ſaid Shéepe, by the will of the Teſtator, ſhall not be accompted againſt the ſaid Executors, nor any perſon ſo hauing the Shéepe, for the intent aforeſaid, any of the number of the ſaid Shéepe prohibited by this Act. 25. H. 8. 13. Shéepe giuen by Will to a Child within age.

6 Euery perſon being the Kings temporall Subiect, and borne vnder his obeyſance, which ſhall haue, or be ſeiſed of inheritance, in poſſeſſion, or in vſe, or that ſhall haue ioynture in vſe, or in poſſeſſion, or ſhal be tenant in dower, or by the curteſie, of, or in any manors, lands, tenements, paſtures, ſéedings, or libertie of foldage, within any part of this Realme of England, Wales, or the Marches of the ſame, may haue, kéepe, and maintaine, vpon the ſame, his owne demeſne lands, and all other his paſtures, ſéedings, and fold-courſes, which he ſo hath, as many his owne Shéeps and Lambs, in number to his proper behoſe, as he lawfully might haue had and kept vpon the ſame at any time before the making of this Act. 25. H. 8. 13. Each perſon may kéepe vpon his inheritance &c. as many shéepe as he will.

7 In caſe any ſuch perſon hauing any ſuch eſtate in vſe, or in poſſeſſion, of, or in any lands, tenements, paſtures, ſéedings, or liberties of foldcourſes, do kéepe vpon the ſame the number of 2000. Shéepe, or aboue, then he ſhall not in any wiſe kéepe or haue any Shéepe aboue the number of 2000. vpon any lands, paſtures, or ſéedings, which he ſhall haue in farme, or otherwiſe, vpon paine of forfeiture for euery shéepe, beſide the ſaid number of two thouſand, iij. ſhillings iij. pence. 25. H. 8. 13. He that kéepeth 2000. shéep vpon his inheritance, ſhall not kéepe any vpon farme.

8 In caſe the ſaid demeſne lands, tenements, paſtures, ſéedings, and liberties of foldcourſes, of any perſon before rehearſed, ſuffice not for the féeding, paſturing, and kéeping of 2000. Shéepe, then any ſuch perſon may haue or féed vpon the ſaid demeſne lands, & vpon his farme holds (which he lawfully may haue) to the ſaid number of 2000. shéepe, and not aboue, vpon paine of forf. for euery shéepe aboue that number iij. ſ. iij. d. 25. H. 8. 13. 2000. kept vpon demeſnes, & farmes.

9 It ſhall be lawfull to euery perſon kéeping a houſhold, to haue from time to time ſuch conuenient number of Shéepe, aboue the number expreſſed in this Act, as ſhall be neceſſarie for the onely expences of his houſhold, to be prouided, kept, and fed, in, and vpon his owne lands, or other lands, ſuch as he lawfully can prouide for, in farme, or otherwiſe, ſo that he at no time ſhall haue for the expence of his houſhold, or by colour of the ſame, aboue the number to him limitted by this Act, any number of Shéepe, moe then ſhall ſuffice for the only expences of his houſhold for one yeare, without fraud or couin. 25. H. 8. 13. Shéep for the maintenance of houſe, aboue 2000.

10 It is lawfull for all Spirituall perſons, to kéepe ſuch, and as many Shéepe vpon their owne lands, and after ſuch maner, and none otherwiſe, as they might haue done before the making of this Act. 25. H. 8. 13. Spirituall perſons.

11 No Lord, owner, or farmer, of any libertie of foldcourſes, within any Town, Mything, village, or hamlet, within any of the Counties of Norffolke & Suffolke, ſhall take in farme for terme of yeares, or otherwiſe, any quillet of land, or paſture, that Foldcourſes in Norff. and Suffolke.

that is to say, any number of acres of land, or pasture, appertaining to any other person or persons, lying within the limit, extent, or precinct of the said libertie of the said foldcourse, but he shall suffer the said person being for the time owner, or lessee of the said quillet, to manure and pasture the same, and also suffer the sheepe of the said owner or farmer of the said quillet, after the rate of the same quillet, to go with the flocke of the owner, farmer, or occupier of the said libertie, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the Countrie there commonly vsed, without any interruption therein to be made by the said owner, farmer, or occupier of the said libertie, vpon paine of forfeiture for euery time that any such person hauing any such quillet, that shall be disturbed of keeping or pasturing any of his Sheepe, so to be fed and kept after the rate of his quillet, for euery such sheepe iij. s. iiij. d. But this Branch concerning quillets, shall not be auailable to any owner, or occupier, of any such quillet, to claime or vse any such pasture or feeding of Sheepe in any such foldcourses, but only where the tenants, owners, & occupiers of any such quillets, haue had, or might haue had heretofore, and of duetie vsed to haue feeding in the said foldcourses, by reason of their occupations of the same quillets, and none otherwise. And where they haue not vsed, ne ought to haue any Sheepe kept within any such foldcourses, by reason of the said tenures, the owners, or occupiers of such fold courses, may take such quillets lying within their foldcourses in farme, agreeing with the owners or occupiers of the said quillets for the same. 25. H. 8. 13.

Within what time the suit shall be commenced.

12 No person shall be put to any aunswere, or losse of any forfeiture, by vertue of this Act, at the suit of any the Kings subiects, by Action, Bill, Plaint, Information, &c. except the suit be commenced within one yeare next after the offence committed, nor by reason of any Presentment, Action, or Information, at the Kings suit, except the same be made for the King within three yeares next after offence committed. 25. H. 8. 13. S. Actions popular 2. Iustices of P. 85.

1 In what sort, at what time, and how many Sheepe any Purueyors may take at one time. S. Purueyors 9.

Ships, Shipping.

Transporting of Fish taken in English mens ships.

IT is lawfull to euery of the Queenes Subiects at his pleasure, to carrie & transport out of this Realme, in the Ships or other Vessels of any of the Subiects aforesaid, being with crosse sailes, all and euery kinds of Herring, and other Sea Fish to be taken vpon the Seas, by any of the said Subiects. And euery person

Transporting of fish without paymeat of Custome.

which shal by vertue of this Act, transport any Herring, or other sea fish, from any Port or Harborough of this Realme, to any place out of the Queenes Dominions, shall be free from paiment of any subsidie, custome, or pondage money, for the same fish so transported, during the space of fiue yeares, from the end of the Session of the Parliament begun and holden 2. Aprilis, An 13. Eliz. and from thence to the end of the next Parliament after the said fiue yeres to be summoned, & from thence during the Queenes pleasure. An 5. Eliz. 5. 13. Eliz. 11. But neither the Maior, Burgesses, nor Inhabitants of Kingston vpon Hull, shall take aduantage of this Stat. for carrying Herrings, or salted fish to any ports beyond the Sea. 5. Eliz. 5.

No price shall be set, or toll taken of Fish taken in English mēs ships.

2 It is not lawfull to any person in any place within this Realme, to set price, make any restraint, or take, or demaund toll, or tare, of any Sea fish brought into this Realme, being taken by any of the Queenes Subiects, in Ships or other vessels of the same subiects, vpon paine to euery person offending contrarie to the meaning hereof, to forfeit the value of the Fish so restrained, priced, tolled, or tared: Any libertie, custome, graunt, priuiledge, &c. notwithstanding. But this Act shall not be preiudiciall to the Maior, Burgesses, &c. or any other Officer of

Kingston

Ringſtone vpon Hull, but euery of them may take all ſuch toll, cuſtomes, and ſummes of money of euery ſuch perſon as is limitted in an Act made 33. H. 8. 33. 5. Eliz. 5.

3 It ſhall not be lawfull to any perſon, to cauſe to be loaden and carried in any bottome, whereof any ſtranger, or ſtrangers borne then be owners, ſhipmaſters, or part owners, any things of what kind or nature ſoeuer they be, from one Port or Creeke of this Realme, to an other of the ſame Realme, vpon paine to forfeit all the goods ſo laden, or carried, or the value thereof. 5. Eliz. 5. Conueying in ſtrangers Ships from one Port to an other.

4 No perſon ſhall bring into this Realme of England, or any part of the ſame, any Wine comming out of any of the Countries belonging to the Crowne of Fraunce, or any Woad, called Tholoſe Woad, in any other veſſell, but onely in ſuch whereof ſome Subiect of the Queenes &c. ſhall be then onely owner, or part owner, vpon paine to forfeit all Wines and Woad brought contrarie to the meaning hereof (according to the true meaning of a Statute made 4. H. 7. 10. concerning Wine of the Duchy of Gaſcoine and Guyon) except, that there may be brought into Wales, or any part within the Countie of Monmouth, Rochell Wines. 5. Eliz. 5. Fo French wine or Tholoſe woad ſhal be brought in ſtrangers ſhips.

5 But it ſhall be lawfull for any perſon or perſons being ſtrangers borne, to bring yearely in any Ship or veſſel, whereof any ſtranger, or ſtrangers borne ſhal be owner, &c. into any of the Hauens, Ports, or Townes of the Ile of Man, any Wines made in any of the Dominions belonging to the Crowne of Fraunce, and in any of the ſame Ports, or Townes, to diſcharge the ſaid Wine ſo brought, ſo that there be not brought and diſcharged by the ſame Straungers, in any ſuch Straungers veſſels in any one yeare, in, or at the ſaid Hauens, Ports, and Townes, or any of them, aboue an hundreth Tunnes at the moſt. In like manner & vpon the ſame condition may Straungers borne, bring in ſtraungers ſhips, any Wines made in the Dominions of Fraunce, into the Hauens, Ports, and Townes of Chepſtow & Newport in the Countie of Monmouth, and of Cardife, Carnaruon, Beawmaries, and other ports, hauens, & Townes of Southwales, and Northwales, or any of them, ouer and beſide all Rochell Wines heretofore allowed in this Act, to be brought &c. Sauing to the Quéne, her heires, &c. all ſuch dueties as ſhe ought to haue for the ſaid wines &c. 5. Eliz. 5. 1. Iac. 25. to continue to the end of the firſt Seſſion of the next Parliament. Wine brought in Strangers ſhips.

6 No perſon vſing any Ship, Boat, or veſſell called Catche, Monger, or Picard, or other veſſell of like vſe, ſhall in the time of common Fiſhing vpon the Sea coaſts of Norfolke, and Suffolke, betweene the 14. day of Sept. and the 13. day of Nouemb. from Sunne ſetting, to Sunne riſing, anker vpon the maine Sea, or in the common ſtreame, or trade of Fiſhing, where the Fiſhermen vſe to driue, vpon paine to forf. their Catche, Monger, Picard, &c. with the tackle, and all the fiſh in the ſame, or the value thereof: The one halfe to the Q. her heires, &c. the other halfe to the Bailife, Burgeſſes, and Comminaltie of great Yarmouth, to be imployed to the recompencing of dammages to the party, whoſe Nets ſhal be cut, and to the buylding and repairing of the decayed Hauen there, and to be taken by way of ſeiſure, or otherwiſe to be recouered by A. J. &c. 13. Eliz. 11. Ankering vpon the Sea in fiſhing time.

1 A Denizen which ſhippeth any goods in a Caracke, or Gally, ſhall pay all cuſtomes and ſubſidies as an Alien. S. Cuſtomes 2.

2 A Ship ſhall be forfeited, wherein is tranſported any Fugitiue, Gold, or Siluer without the K. licence. S. Fugitiues 1.

3 Where, in what caſe, and in what maner it ſhall be lawfull for the owner of a Ship, or a Shipwright, to take an Apprentice. S. Laborers 30.

4 At what time and place the Maſter of a Ship ſhall receiue and diſcharge his loading. S. Marchants 5. 6.

5 A Ma-

5 A Maſter of a Ship ſhall giue notice to a Cuſtomer of his loading, time of departing &c. S. Marchants 7. 8.

6 The Maſter of a Ship ſhall not permit any Braſſe, Mettall, &c. to be tranſported, but ſhall diſcloſe the ſame. S. Braſſe 3.

7 A Ship ſhall be forfeited wherein is tranſported Corne, Beere, Butter, Cheeſe, Herring, or Wood, without licence. S. Corne 1.

8 In what caſe a Ship ſhall be forfeited, wherein is tranſported any Leather, or raw Hides. S. Leather 50.

Shirifes.

A Shirife muſt haue ſufficient land.

NO man ſhall be Shirife, Baylife of Hundred, Wapentake, or Franchiſe, or vnder-Eſcheto^r, in any County, except he haue land ſufficient in the ſame Countie, to anſwere the King, and his people. 9. Ed. 2. 4. Ed. 3. 4. 5. Ed. 3. 5.

Such ſhall be Shirifes as may attend.

2 No Steward or Bailife of any great Lord, ſhall be made Shirife, except he be put forth of ſeruice: But ſuch a Shirife ſhall be appointed, which may wholly attend to ſerue the King, and his people. Lincoln 9. Ed. 2.

The Shirife ſhall continue within his Countie.

3 Euery Shirife within England ſhall dwell in his proper perſon within his Bailywike, for the time that he ſhall be officer. 4. H. 4. 5.

None ſhall be Shirife, or Vnderſhirife aboue one yeare.

4 No Shirife, Vnderſhirife, or Shirifes Clerke, ſhall remaine in his Bailywike or office, aboue one yeare, and after that yeare, another fit and ſufficient perſon ſhall be ordained in his place. 14. E. 3. 7. 42. E. 3. 9. And none that hath bene Shirife of any Countie one whole yeare, ſhall be appointed Shirife of that Countie by the ſpace of three yeares next inſuing, if there be any other ſufficient of lands and goods in the ſame Countie, to anſwere to the King and his people. 1. R. 2. 11. (The Vnderſhirife, and all other Officers within the Citie of London, the Vnderſhirife, and all other Officers of Shirifes, within the Shire of the Towne of Briſtow. 6. H. 8. 18. and ſuch Counties in which any perſons at the time of the foreſaid Statute made, viz. 25. Feb. Anno Dom. 1444. were inheritable to the office of Shirife, and the Letters patents made to them of the office of Shirife, Vnderſhirife, and Shirifes Clerke onely except. 23. H. 6. 8.) And if any Shirife, Vnderſhirife, or Shirifes Clerke, doe occupie the Office of Shirife, Vnderſhirife, or Shirifes Clerke, contrarie to the foreſaid Statutes, or contrarie to the effect or intent of any of them (except before excepted) then he ſhall forfeit 200. l. yearely, as long as he doth ſo occupie. And euery Pardon made for ſuch offence, occupation, or forfeiture of the ſummes before recited, ſhall be void. And all Patents to be made of any of the ſaid offices, for terme of yeares, for terme of life, in fee ſimple, or in fee taile, to any of the kings liege people, (except before excepted) ſhal be void, notwithſtanding any clauſe or ſentence of Non obſtante put in ſuch Patents. And whoſoeuer doth take vpon him to receiue, or occupie the ſaid Office of Shirife, by vertue of any ſuch graunts, or Patents, for terme of yeares, for terme of life, in fee ſimple, or fee taile, ſhall be for euer diſabled to be, or beare the Office of Shirife in any Countie of England. And euery of the Kings liege people which will, may ſue for the ſaid ſumme forfeited againſt him which doth forfeit the ſame, in an Action of debt in his owne name, and the K. ſhall haue the moitie of all that which is recouered, and he that ſueth the other. 23. H. 6. 8. But euery old Shirife of euery Countie, hath full authoritie, aſwell lawfully to erecute & returne euery writ, precept, or warrant, in euery of the K. Courts of Record at Weſtm. deliuered to him, as to do & erecute euery other thing, which to the office of Shirife lawfully pertayneth at all times during Michaelmas Terme, and Hillary Terme, vnleſſe he be before the ſame time lawfully diſcharged of his occupation of Shirife, without ſuſtayning any dammage, forfeiture, or paine. 12. Ed. 4. 1. 17. Ed. 4. 6.

Patents of Shirifewike.

Where a Shirife may occupie aboue one yeare.

5 No Shirife ſhall let to farme in any maner his Countie, nor any of his baylywickes, hundreds, nor wapentakes. And the Shirife (among other Articles compriſed in his oath) ſhall be from time to time ſworne, that he ſhall not let his Bailywicke to farme. 4.H.4.5. 23.H.6.10. The Shirife ſhal not ſet his Countie or bailywicke to ferme.

6 No Shirife, Underſhirife, Bailife of Franchiſe, nor any other Baylife, by occaſion, or vnder colour of his office, ſhall take any other thing by themſelues, or by any other perſon to their vſe, or profit, of any perſon, by any of them arreſted, or attached, nor of any other for them, for the omitting of any arreſt, or attachment to be made by their bodies, or of any perſon by any of them, by force or colour of their office arreſted, or attached, for fine, fee, mainprife, letting to baile, or for ſhewing any eaſe or fauour to any ſuch perſon ſo arreſted, for their reward or profit, but ſuch as followeth: viz. the Shirife xx. pence, the Bailife which maketh the arreſt, or attachment iiij. pence, and the Gaoler (if the priſoner be committed to his warde) iiij.d. 23.H 6.19. The Shirifs and his Bailifes fees for arreſts.

7 The Shirife, Underſhirife, Shirifes Clerke, Steward, or Baylife of franchiſe, ſeruant to the Bailife, or Coroner, ſhall not take by colour of his Office, by himſelfe, nor by any other perſon to his vſe, any thing of any perſon for the making of any returne or panell. And for the Copie of a panell foure pence. 23. H. 6. 10. The Shirifs dutie for making a copie of a panell.

8 The Shirifes, and all other Officers and miniſters aforeſaid, ſhall let out of priſon, all maner of perſons by any of them arreſted, or being in their ward, by force of any writ, bill, or warrant, in any action perſonall, or by reaſon of any Indictment of treſpas, vpon reaſonable ſuertie of ſufficient perſons, hauing ſufficient within thoſe Counties where ſuch perſons be ſo let to baile or mainprize, to kepe their daies in ſuch places, where the ſaid writs, bils, or warrants do require (onely except thoſe perſons which ſhall be in their ward by condemnation, execution, Capias vtlagatum, or Excommunicatum, ſuertie of peace, and all ſuch perſons which ſhall be committed to ward by the ſpeciall commandement of any Juſt. and Vagabonds &c.) But if the Shirifes returne vpon any perſon, Cepi corpus, or Reddidit ſe, they ſhall be chargeable to haue the bodies of the ſaid perſons at the dayes of the returnes of the ſaid writs, bils, or warrants, in ſuch maner, as they were chargeable before the making of this Act. 23.H.6.10. Bailing of priſoners, or perſons arreſted. The Shirife returning Cepi corpus, vel Reddidit ſe.

9 No Shirife, nor none of the Officers or miniſters aforeſaid, ſhal take, or cauſe to be taken, or made, any Obligation, for any cauſe aforeſaid, or by colour of their office, but onely to themſelues, of any perſon, nor by any perſon which ſhall be in their ward, by courſe of the Law, but in the name of their office, & vpon condition written, that the ſaid priſoners ſhal appeare at the day contained in the ſaid writs, bill, or warrant, & in ſuch places as the ſaid writs, bils, or warrants ſhall require. And if any of the ſaid Shirifes, or other Officers aforeſaid, take any Obligation in any other forme by colour of their offices, it ſhall be void. And he ſhal take no more for the making of any ſuch Obligation, warrant, or precept, by him to be made, but iiij. pence. 23. H. 6. 10. Obligation for apparance.

10 Euery of the ſaid Shirifes ſhall make yearely a Deputie of Record in the K. Court of Chancerie, K. Bench, Common Pleas, and in the Exchequer, before that they ſhall returne any writs, to receiue all maner of writs, & warrants to be deliuered vnto them. 23. H. 6. 10. And euery Shirife of euery the 12. Counties in Wales, & of the Counties Palantine of Lancaſter, Cheſter, & the citie of Cheſter, ſhall haue in the K. Bench, & Common Pleas, one ſufficient deputie at the leaſt. 5.E.6.26. S. Exigent 7. The Shirife ſhall make a Deputie in euery Court.

11 All Shirifes, Underſhirifs, Clerks, Bailifes, Gaolers, Coroners, Stewards, bailifes of franchiſes, or any other officers, or miniſters, which do contrarie to this foreſaid ordinance made 23.H.6.10. in any point of the ſame, ſhal loſe to the party in this Forfeitures.

in this behalfe indamaged or grieued his treble damages, and ſhall forf. xl. li. at euery time that any of them do the contrarie in any point of the ſame, whereof the King ſhall haue the one halfe, to be imployed only to the vſe of his houſe, & the party that will ſue, the other halfe. But the Warden of the Fléte, and of the Kings palace at Weſtm̃ for the time being, ſhall not be preiudiced by this ordinance in his duetie of his office. 23. H. 6. 10. S. Iuſtices of peace 90.

Wardens of the Fléte, & of the palace at weſtminſter.

The order of Indictments taken in Shirifs Turnes.

12 Shirifes in their Turnes, & otherwiſe, when they haue to inquire of malefactors by the K. commandement, or by vertue of their office, ſhall make ſuch inquiſitions of thoſe offendors by xij. lawfull men at the leaſt, which ſhall put their ſeales to thoſe Inquiſitions (and the Roll of the Inquiſition ſhall be indented, whereof one part ſhall remaine with the Indictors, & the other with the Shirife, or other which taketh the Enqueſt, ſo that the Indictment ſhall not be imbeziled. 1. E. 3. 16.) And if the Shirifes do impriſon any other then thoſe which be indicted by ſuch inquiſitions, they which be ſo impriſoned ſhall haue their action of Falſe impriſonment againſt the Shirife, as they ſhould haue againſt any other perſon which ſhould impriſon them without warrant. And the foreſaid ordinance prouided for Shirifes ſhal be obſerued of euery Bailife of libertie. W. 2. 13. E. 1. 13. But if any Indictments or Preſentments ſhall be taken before any Shirifes of Counties, their Undershirifes, clerkes, bailifes, or miniſters, at their Turnes, or Lawdaies, they nor none of them haue power to attach, arreſt, or put in priſon, or to leuie any fines or amerciaments of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch Indictment or Preſentment, nor to take of any ſuch perſon ſo indicted or preſented any fine or ranſome, but they ſhall bring and deliuer all ſuch Indictmẽts & Preſentments to the I. of P. at their nert Seſſion of the peace, that ſhall be holden in the County where ſuch Indictments & Preſentments ſhall be taken. And if any of the ſaid Shirifes, Undershirifs, their Clerks, Bailifes, & miniſters do not bring, deliuer, & preſent all ſuch Indictments or preſentments ſo taken before them in their Turnes, or Lawdayes, at ſuch Seſſions of the Peace, before the ſaid I. of the P. then they & euery of them that ſo ſhall faile thereof, ſhall forf. to the K. xl. l. at euery time that they or any of them doth contrarie. 1. E. 4. 2.

Indictments taken in the Shirifes Turnes ſhall be deliuered to the Iuſt. of P.

Iuſt. ſhall award proces againſt thoſe which be indicted in the Shirifes Turne.

13 The ſaid Iuſtices of Peace haue authoritie to award proces vpon all ſuch Indictments and Preſentments, as the law doth require, and in like forme as if the ſame were taken before the ſaid Iuſtices in the ſaid Countie. And alſo to arraigne, and deliuer all ſuch perſons ſo indicted and preſented before the ſaid Shirifes, Undershirifes, their Clerkes, Bailifes, & miniſters, or any of them, in their ſaid Turnes or Lawdayes. And euery perſon which ſhall be indicted or preſented of treſpaſſe, ſhall make ſuch a fine as ſhall ſéeme lawfull by the diſcretions of the ſame Iuſtices. 1. E. 4. 2.

Eſtreats redeliuered to the Shirifes by the Iuſtices.

14 The Eſtreats of the ſaid fines and amerciaments ſhall be inrolled, and by Indenture deliuered to the ſaid Shirifes, Undershirifes, their Clerkes, Bailifes, or miniſters, or ſome of them, to the vſe and profit of him that was Shirife in the ſaid Countie, at the time of ſuch Indictments or Preſentments taken. And if any of the ſaid Shirifes, their Undershirifes, Clerkes, bailifes, or miniſters, do arreſt, attach, or put in priſon, or cauſe any fine or ranſome to be taken, or leuie any amerciament of any perſon ſo indicted or preſented, by reaſon of any ſuch Indictment or Preſentment, taken before them at their Turnes or Lawdaies, before that they haue proces from the ſaid Iuſtices of Peace, or Eſtreats deliuered out of the ſaid Indictments or Preſentments: Then the ſaid Shirife which ſo doth, ſhall forfeit an hundred pounds: The one halfe to be imploied to the expences of the Kings houſe, and the other to the partie indammaged, which ſhall haue an Action of debt at the Common Law, and like Proces as in an Action of debt, wherein no W. &c. E. P. &c. 1. E. 4. 2.

15 But

15 But this Act doth not extend to the Shirifes of London, concerning any Indictments or Preſentments taken within the ſaid Citie. Nor to any perſon which hath Graunts of any Fines or Amerciaments, by any Letters patents of any of the Kings progenitors, bearing date before the tenth day of December, Anno 1. Ed. 4. et Anno Dom. 1461. Nor to any perſon hauing any Liberties or Franchiſes by any of the ſaid Letters patents, or in any other maner by preſcription. 1. Ed. 4. 2.

Shirifes of London.

Grantées of fines.

16 No Sherifes, vnderſherifes, Shire Clerkes, neither any perſon in their names, nor by their commaundement, ſhall take and enter any plaints in their bookes, in any mans name, vnleſſe the party plaintife be in proper perſon preſent in the Courts, or elſe by a ſufficient Atturney or Deputie that is knowne to be of good name and diſpoſition. And the ſame plaintife ſhall find pledges to purſue his ſaid plaint, ſuch perſons as are knowne there in that Countie. And the plaintife ſhall haue but one plaint for one treſpas, or contract, and if the ſaid Shirifes, Underſhirifes, Shire Clerke, take, enter, or cauſe to be entred, any moe plaints, then the plaintife ſuppoſed that he hath cauſe of action againſt the defendant: Then the ſaid Shirife, Underſhirife, &c. that offendeth, ſhall forfeit for euery default rl. ſ. to the King and J. &c. to be recouered in the Exchequer. And ouer that, the Juſtices of Peace in the ſame Counties, and euery of them, haue authoritie vpon complaint made by the partie ſo vnlawfully grieued, to examine the ſaid Shirifes, Underſhirifes, or Shire Clerke, and plaintifes: And if they, or one of them find by the examination, default in the ſaid Shirife &c. in entring of the ſaid plaints deceitfully for his aduantage, contrarie to this Act, Then the ſaid Shirife &c. ſhall be conuict and attaint of the ſame offence, without further enquirie, & he ſhall forf. vpon the ſame examination rl. ſ. to the K. for euery default, and the ſaid Juſt. that ſo ſhall take the examination, ſhall certifie the ſame within a quarter of a yeare, into the Exchequer, vpon paine of rl. ſ. 11. H. 7. 15.

No plaints ſhal be entred, but where the plaintife or his Atturney is preſent.

Plegij de proſequendo.

Entring of moe plaints then the plaintife hath cauſe of action.

Examination by the Juſtices of Peace.

17 The ſaid Shirifes, Underſhirifes, and Shire Clerks, ſhall make, or cauſe to be made, a ſufficient Precept to the Bailifes of the Hundred, to attach, ſummon, & warne the defendants that are ſo in ſuit, to appeare & anſwere to the ſaid plaints. And if there be any default in the ſaid bailifes, in warning of the ſaid defendants, or in executing their office, then the ſame bailifes ſhall forfeit for euery default to the K. rl. ſ. and be attaint thereof by like examination of the Juſt. of peace, or euery of them, as is before rehearſed. 11. H. 7. 15.

Execution of preceptes by Bailifes.

18 Shirifes, Underſhirifes, Shire Clerkes, and their deputies, ſhall make none Eſtreats, to leuie the ſaid Shirifes amerciaments, vntill two Juſtices of peace (whereof one ſhall be of the Quorum) haue had the view & ouerſight of their bookes, and that the Eſtreats be indented betwixt the ſaid Juſtices, and the ſaid Shirifes, & Underſhirifes, and ſealed with their Seales, the one part to remaine with the ſaid Juſtices, and the other part with the ſaid Shirifes, or Underſhirifes, for the intent to vnderſtand, if any deceit or vntrue demeaning be in them in making of their bookes. 11. H. 7. 15.

Two Juſtices ſhall view the Shirifes Eſtreats.

19 Thoſe perſons which ſhall be gatherers of the ſame amerciaments, as baylifes, or other officers, ſhall be ſworne by the ſaid Juſtices, that they ſhall take no more money then is forfeited and contained in the ſaid Eſtreats ſealed with the ſeales of the ſaid Juſtices, vpon the ſame paine of forfeiture, as before is rehearſed, thereof the ſame gatherers to be conuict by the examination of the Juſtices, or one of them &c. 11. H. 7. 15. Neither ſhall any Shirife be charged to leuie any iſſues, nor ſhal leuie any before the ſame go out of the Exchequer by Eſtreats. And euery man ſhall be charged of thoſe iſſues forfeited, aſwell as of amerciaments. And if the Shirife will returne the iſſues of any Recogniſor, pledge, or mainpernor, which at the time of the returne, was not ſufficient to aunſwere the ſaid iſſues

Bailifes ſhall be ſworne to gather, but what is due.

The Shirife ſhall execute his warrant, and no more.

and amerciaments, the Shirife himſelfe ſhall anſwere, and ſhall be therewith charged in the Exchequer. And if the Shirife returne the names of any Mainpernor, Juror, or other, but accoꝛding to the tenoꝛ of the wꝛits to him directed, oꝛ do returne the names of any Pledges, except the ſame Pledges do therunto conſent, he ſhall be grieuouſly puniſhed. 27. E. 1. Stat. de Finibus.

Juſtices aſſigned to ouerſee the Shirifes eſtreats.

20 The Juſtices of Peace ſhall be appointed and named at the generall Seſſions after the feaſt of S. Michaell, by him that is Cuſtos Rotulorum of the ſaid Countie, oꝛ elſe by the eldeſt of the Quorum in his abſence, to haue the ouerſight and controlment of the ſaid Shirifes, Underſhirifes, & Shire Clerkes, and other of the ſaid officers, and of the ſaid Shirifes amerciaments. And the ſaid Juſtices of peace vpon ſuggeſtion oꝛ infoꝛmation of the partie grieued, ſhall make like pꝛoces, as in action of Treſpas againſt the ſaid Shirifes, Underſhirifes, oꝛ Shire Clerks, & other the afoꝛeſaid Officers miſdemeaning as is afoꝛeſaid, foꝛ to appeare befoꝛe them to anſwere to the ſaid ſuggeſtion, oꝛ infoꝛmation. 11. H. 7. 15.

No Shirife ſhall be Juſt. of P. in the ſame County.

21 No perſon hauing, vſing, oꝛ exerciſing the office of a Sherife of a any Countie oꝛ Counties, ſhall exerciſe the office of a Juſtice of the Peace, by foꝛce of any Commiſſion, oꝛ otherwiſe, in any Countie oꝛ Counties where he ſhall be Shirife, during the time onely that he ſhall vſe oꝛ exerciſe the ſaid office of Shirifewicke, and euery act done by authoꝛitie of any Commiſſion of the Peace, during the time abouеſaid, ſhall be void. 1. M. 1. Parliament. 8.

iiij. Deputies to make Repleuies.

22 If the Shirife of any Shire (being no Citie, oꝛ Towne made Shire) do not within two Moneths after he hath receiued his Patent of Shirifewicke, appoint and pꝛoclaime in the Shire Towne foure Deputies at the leaſt, one dwelling not aboue xij. Miles diſtant from an other, in the Shirifes name to make Repleuies and deliuerance of diſtreſſes, in ſuch maner and foꝛme as the Shirife may oꝛ ought to doe, he ſhall foꝛfeit foꝛ euery Moneth that he ſhall lacke ſuch Deputies, v. l. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 1. & 2. P. & M. 12.

Wꝛongfull ſeiſure of an other mans lands oꝛ goods

23 If any Shirife, Eſcheatoꝛ, oꝛ other officer of the K. do ſeiſe the lands, goods, oꝛ cattels of any man, ſurmiſing that he is outlawed, becauſe he is of the ſame name that ſome other perſon is, which is outlawed, the partie ſhall haue a wꝛit of Idemptitate nominis, & ſhall find ſuertis to the Shirife, oꝛ other officer, which hath warrant to ſeiſe, to anſwere to the K. the value of the goods oꝛ cattels, in caſe he cannot diſcharge himſelfe, without any thing theꝛefoꝛe paying. And if the Shirife, oꝛ other officer &c. doth not take the ſame, the partie grieued may haue his ſuit againſt him, & recouer his double damages: And alſo the ſaid Officer ſhall receiue grieuous puniſhments at the Kings hands. 37. E. 3. 2. And the wꝛit of Idemptitate nominis, is maintainable foꝛ the Executoꝛs of euery Teſtatoꝛ, aſwell as the ſame action was befoꝛe maintainable by the perſon himſelfe, which was moleſted by cauſe oꝛ colour of any outlawꝛie. 9. H. 6. 4.

Idemptitate nominis.

The Shirife ſhall not ſeiſe the goods of a pꝛiſoner, vntill he be attainted.

24 If any Shirife, Underſhirife, Eſcheatoꝛ, Bailife of Franchiſe, oꝛ other perſon do take oꝛ ſeiſe the goods of any perſon arreſted & impꝛiſoned, beſoꝛe the ſame perſon be conuicted oꝛ attainted of Felony, accoꝛding to the Law, oꝛ that the ſame goods be otherwiſe lawfully foꝛfeited, he ſhall pay to the party grieued the double value of the goods ſo taken oꝛ ſeiſed, to be recouered by A. of debt, wherein no W. &c. E. P. &c. 1. R. 3. 3.

Baylifes of Hundꝛeds.

25 Hundꝛedoꝛs, viz. Bailifes of Hundꝛeds, which be knowne and ſwoꝛne in the full Countie, ſhall make execution of all wꝛits which come to the Shirife, and none others (except it be in the great default oꝛ notoꝛious diſturbance of the Hundꝛedoꝛs) and then other perſons which be conuenient and ſwoꝛne, ſhall make execution, ſo that the people may alwaies know, to whom to reſoꝛt foꝛ ſuch execution (ſauing the returne of wꝛits to them which of right ought &c.) And the ſame

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Hundredors ſhall be credible perſons, and ſhall haue lands ſufficient in the ſame Hundred, or in the Countie where the Hundred is, ſo that they ſhal not néed to vſe extortion. Lincoln. 9. Ed. 2. 2. Ed. 3. 5. 5. Ed. 3. 4. 4. Ed. 3. 9. And the Sheriffes ſhall place ſuch bailifes for whom they will anſwere. And ſo ſhall thoſe Lords which haue Hundreds and Wapentakes in fée. 14. E. 3. 9.

Shiriffes Bailifes.

26 They which be Sheriffes Bailifs one yeare, ſhal not be in any ſuch office by the ſpace of iij. yeres next enſuing, except the Bailifes of thoſe Sheriffes which haue inheritance in their Sheriffewickes. 1. H. 5. 4. Quære for the vſe hereof.

Counter Rols with the Coroner.

27 The Sheriffe ſhall haue Counter Rolles with the Coroner, aſwell of appeales, as of enquefts of attachments, & other things which doe belong to the Coroners Office. Weſt. 1, 3. E. 1. 10. But no Sheriffe, Conſtable, Eſcheator, Coroner, or any other Bailife of the Kings, ſhall holde Pléas of the Crowne. Magna Charta 17.

Deliuerance of cattell by the Shyrife.

28 Where the Sheriffe ought to returne the Kings writ, to a Bailife who hath right to returne the writ, if the Bailife of the Franchiſe do not make deliuerance of the cattell impounded after the Sheriffe hath made the returne vnto him, the Sheriffe ſhall do his office without delay, vpon paine of forf. of double dammages. Weſt. 1. 3. E. 1. 17. Marlb. 52, H. 3. 21.

Shirifewickes diuided.

29 The Quéne, her heires and ſucceſſors Kings or Quénes of this Realme, ſhall and may yearely chooſe, and make for euerie of the Counties of Eſſex and Hertford, Somerſet and Dorſet, Warwike and Leiceſter, Notingham & Darby, Oxon and Barke, one ſufficient and able perſon to be Sheriffe of the ſame, in ſuch like maner as is and hath béen vſed to be made for any other County within this Realme. And euerie perſon which ſhall be appointed Sheriffe for any of the ſaid counties ſhall be accomptable, and vſed in the order of his accompt, and all other things and allowance to him made in the exchequer and all other courts and places, in ſuch maner and forme, as is commonly vſed for Sheriffes in like caſe. An. 8. Eliz. 16. 13. Eliz. 22.

But halfe the charges ſhall be paied for Shirifwicks diuided.

30 No Sheriffe choſen and made of any one of the foreſaid Counties ſhall pay in any Court of Record for any duetie belonging properly to the office of Sheriffe, any other fées, or Charges, then onely the one halfe of the charges and fées which he ſhould be compelled to haue paied, if hée had béen Sheriffe of two of the ſaid Shires and Counties, as before the making of this Act was vſed. 8. Eliz. 16. 13. Elizab. 22.

The Stat. of winchester proclaimed.

31 Per ſtat. 7. R. 2. 6. Euerie Sheriffe of England ought in proper perſon to make proclamation of the Stat. of Wincheſter prouided 13. Ed. 1. againſt homicides, burning of houſes, robberies, and other felonies foure times in euery yere, in euery hundred of his Bailiwicke, and by his Bailifes in euerie market, aſwell within liberties as without.

Euery Vndershirife ſhal be twice ſworne.

32 All and euerie perſon and perſons, that ſhall be admitted to, or take vpon him the executing of the office of an Vndersheriffe, in any Shire or County, within this Realme of England, before he intermeddle with the vſe, or exerciſe of the ſaid Office, ſhall receiue and take a corporall othe vpon the holy Euangelifts, before the I. of Aſſiſe, or one of them, of the ſame circuit, wherein that Countie is, whereof he ſhall be Undersheriffe, or before the Cuſtos Rotulorum, or two I. of the peace, whereof one to be of the Quorum of the ſaid Countie, whereof hée ſhall be Undersheriffe, as aforeſaid, for, and concerning the Supremacie in ſuch manner and forme, as that oathe is expreſſed and declared in one Act of Parliament made and ordained, Anno 1. Eliz. Together with which othe, he ſhall in like ſort, before the ſame perſon or perſons, receiue and take one other corporall oath as followeth, (that is to ſay) I A.B. ſhall not vſe or exerciſe the Office of Vndersherife corruptly during the time that I ſhall remaine therein, neither ſhall or will accept, receiue, or S. Queene 4.

No reward for the impanelling of an inquest.

take by any colour, means, or deuiſe whatſoeuer, or conſent to the taking of any maner of fee or reward, of any perſon or perſons, for the impanelling, or returning of any Inqueſt, Iurie, or Tales, in any Court of Record for the Queene, or betwixt partie and partie, aboue ij.s. or the value thereof, or ſuch fees as are allowed and appointed for the ſame, by the lawes and ſtatutes of this Realme. But will, according to my power, truely and indifferently with conuenient ſpeed impanell all Iurors, & returne all ſuch writ or writs touching the ſame, as ſhall appertaine to be done, by my duetie or office, during the time that I remaine in the ſaid Office, So helpe me God. **And this act ſhall be a ſufficient warrant to the perſons appointed by this Act, to miniſter the oathe aforeſaid, for the miniſtring thereof accordingly. 27. Eliz. 12.**

Bailifes of Franchiſes, Sherifes Clerkes, and Deputies, ſhal take the foreſaid oaths.

33 Euerie Bailife of Franchiſe, deputie and Clerke of euerie Sherife & Vnderſherife, and euerie other perſon and perſons, which ſhall haue authoritie, or take vpon him to impanell or returne any Inqueſt, Juris, or Tales, or to intermeddle with execution of Proceſſe, in any Court of Record, ſhall, before he or they intermeddle with any further execution thereof, receiue and take the oaths aforeſaid corporally, before the perſon or perſons appointed by this Act to miniſter the ſame, or before the head Officer of the place, if it be a towne corporat, chaunging onely the words (the Office of Vnderſherife) contained in the oath expreſſed in this Act, to ſuch words as are conuenient for the deputation, office, or place, in which the party which taketh the oath, is to be exerciſed in. And if any the ſayd perſons limitted to take the oath aforeſaid, do take vpon him to impanell or return any Inqueſt, Jurie, or Tales, or to intermeddle with the execution of Proces, not hauing before taken the oaths aforeſaid: Then euerie ſuch perſon ſhall forf. rl. P. to the K. and J. to be recouered in any of the K. Courts of Record by A. B. P. J. wherein no W. E. P. &c. 27. Eliz. 12.

The forfeiture of the Offendors.

34 If any Vnderſherife, or other perſon mentioned in this Act, or any of them ſhall do, or commit any Act or Acts contrarie to the oathes aforeſaid, or either of them, or contrarie to the true intent and meaning of this Act, Then euerie ſuch perſon ſo offending ſhall forf. for euerie ſuch offence to the partie or parties grieued, his or their triple dammages, to be recouered by A. B. P. or J. in any of the Quenes Courts of Record, wherein no W. E. P. &c. 27. Eliz. 12. S. Iuſtices of Peace 100.

How much Sheriles may take for the ſeruing of an execution.

35 It ſhall not be lawful to or for any Sherife, Vnderſherife, Bailife of Franchiſes, or Liberties, nor for any of their or either of their officers, miniſters, ſeruants, bailifes, or deputies, nor for any of them, by reaſon or colour of their or either of their office or offices, to haue, receiue, or take of any perſon or perſons whatſoeuer, directly, or indirectly, for the ſeruing & executing of any extent or execution vpon the bodie, lands, goods, or chattels of any perſon or perſons whatſoeuer, more, or other conſideration or recompence, then in this preſent Act is and ſhall be limitted & appointed, which ſhall be lawfull to be had, receiued, and taken, that is to ſay, xij. d. of and for euerie xx. s. where the ſumme exceedeth not 100. P. and vj. d. of and for euery xx. s. being ouer and aboue the ſaid ſumme of 100. P. that he or they ſhall ſo leuie or extend, and deliuer in execution, or take the body in execution for, by vertue and force of any ſuch extent or execution whatſoeuer, vpon pain and penaltie, that all and euery Sherife, Vnderſherife, Baylife of Franchiſes or Liberties, their and euery of their Miniſters, Seruants, Officers, Bayliſes, or Deputies, which at any time ſhall directly or indirectly do the contrary, ſhall loſe and forfeit to the party grieued his treble damages, and ſhall forfait the ſumme of rl. P. of good and lawfull Engliſh money, for euery time that he, they, or any of them ſhall do the contrary, to the K. & J. to be recouered by A. S. B. or J. wherein no E. W. P. &c.

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Prouided alwayes, that this Act, or any thing therein contained, ſhall not extend to any Fées to be taken or had for any execution within any Citie or Towne corporat: Any thing aboue mentioned to the contrarie thereof notwithſtanding. 29. Eliz. 4. Fées for executions within Cities or Townes corporat.

36 If any Shirife, Vnderſhirife, or other perſon, hauing authoritie, or taking vpon him to breake Writs, do make any warrant for the Summons of any perſon, as vpon any writ, proces, or ſuite, or for the arreſt, or attaching of any perſon or perſons by his or their body or goods, to appeare in any her Maieſties Courts at Weſtminſter, or elſewhere (not hauing before that the originall writ or proces, warranting the ſame) Then vpon complaint thereof made to the Iuſt. of Aſſiſe of the Countie where the ſame offence ſhall be committed, or to the Iudges of the Court, out of which the proces iſſued, not onely the party that made ſuch warrant, but all thoſe that were the procurers thereof, ſhall be ſent for before the ſame Iudges or Iuſtices, by attachments, or otherwiſe, as the ſame Iudges or Iuſtices ſhall thinke good, and allow of, and be examined thereof vpon their oathes: And if the ſame offence be confeſſed by the ſame offendors, or proued by ſufficient witneſſes, to the ſatisfaction of the ſame Iudges or Iuſtices, then the ſame Iudges or Iuſtices that ſhall ſo examine the ſame, ſhall forthwith by force of this Act commit euery ſuch offenders to the Gaole of the Countie or Court, where the ſame ſhall be examined, there to remaine without baile or mainprize, vntill ſuch time as they amongſt them haue fully ſatiſfied & paied vnto the party grieued by ſuch warrant, not onely x. pounds of lawfull Engliſh money, but alſo all ſuch coſts & damages as the ſame Iudges or Iuſtices ſhall ſet downe, that the ſame party hath ſuſtained thereby, and withall xx. l. a peece for their offence to her Maieſtie. 43. Eliz. 6. 1. Iac. 25. To continue in force vntill the end of the firſt Seſſion of the nert Parliament. Summoning or arreſting without warrant.

37 All the Shirifes of England ſhall haue allowance vpon their accompts by their Oathes, of things caſuall, as of Eſtreates that ſound not, nor run in ferme, nor in demaund, but of things that ſound or run in yearely fermes, or yearely demaundes, they ſhall be charged againſt the King, as the Shirifes haue bẽ charged in times paſt. 4. H. 5. 2. Shirifes allowances.

38 All Shirifes ſhall haue ſuch Tales of reward, and other allowances, as they haue heretofore had, and they ſhall be diſcharged vpon their accompts in the Exchequer of ſuch ſummes of money which they cannot leuie: And they ſhall haue allowance for their charges & expences, which they ſuſtaine by the Iuſtices of Aſſiſe Diet, and other meanes. And euery Shirife by himſelfe, his Atturney, or Deputie, ſhall be ſworne at his day of preſtrion, when he ſhal anſwere before the Lord Treaſorer, Barons, &c. to bring & deliuer into the Exchequer, rolls of Parchment of all ſuch particular ſummes of money which he hath, or might haue leuied, making mention of what perſon, of what lands, and for what cauſe euery of the ſaid ſummes be leuied. The Treaſorer, Barons, &c. of the Exchequer ſhall award out ſuch Proces, Commiſſions, & other meanes, as they ſhall think good, for the leuying and recouerie of ſuch Fermes, Vicountiels, and other the R. auncient rights and inheritances, now vniuſtly withholden, and allow the Commiſſioners ſuch charges, as they ſhall thinke meete. 2. & 3. Ed. 6. 4. Shirifes allowances. Rolls in parchment. Proces for the K. debt

39 The Shirife of the County of Northumberland, before he receiue his Patent, or exerciſe his Office, ſhal put in ſufficient Suerties by himſelfe, or his deputie, in the Exchequer, & enter into Recogniſance in ſuch ſumme, & vpon ſuch conditions, as the L. Treaſurer & Barons ſhall think meet, as all other Shirifes of this Realme do, vpon paine of forf. of 100. l. to the King. Such Shirife ſhalbe accountable but for his owne time, & for the yeare of his Shirifewicke only, & ſhall not be charged with any arcerages due by any of his predeceſſors. 2. & 3. Ed. 6. 34. Shirife of Northumb.

Bailifes of liberties. 1 Euery Statute prouided for Shirifes, ſhall extend to Bailifes of Liberties. S. Franchiſes 1.

Rediſſeiſin. 2 For the Shirifes duetie in executing the writ of Rediſſeiſin. S. Rediſſeiſin 2. 3.

Repleuying a diſtreſſe. 3 For the Shirifes duetie in repleuying of a diſtreſſe, and taking band for proſecuting the ſuit, and making of Returne. S. Repleuin 1. 3.

Riots. 4 For the Shirifes duetie in recording and certifying of Riots. S. Riots 1. 3.

Returnes. 5 For the Returnes of Shirifes, and Bailifes of Liberties. S. Returnes of Shirifes.

Eſtreats. 6 The Shirife muſt ſhew to the partie indebted, the Eſtreats ſealed, and vpon the payment Tot the ſame. S. Eſtreats 1.

Amerciamẽts 7 Amerciaments for inſufficient Returnes by Stewards, or Bailifes of liberties, ſhall be ſet vpon their heads, and not vpon the Shirifes. S. Franchiſes 3.

Atturney. 8 No Vnderſhirifes, Shirifes Clerkes, Receiuer, or Bailifes, ſhall be Atturney. S. Atturney 9.

Counterfeiting weights. 9 Shirifes may inquire of counterfaiters of falſe Weights, and puniſh them. S. Weights 13.

A womans ſuit. 10 What a Shirife ſhall forfeit which doth not execute a writ to him directed at the ſuit of a Woman, which is enforced to be bound by Obligation or ſtatute. S. Women 15.

K. debtor. 11 The Shirife ſhall diſcharge his diſtreſſe, which can find him ſuertie to gree for the thing in demand, and ſhall acquit the Kings debtor of that which he hath receiued. S. Accompt. &c. 52.

Diſſeiſin. 12 How the Shirife ſhall be puniſhed, which by the colour of his office doth diſſeiſe any man. S. Aſſiſe 4.

Array aſſiſes. 13 In what time a Shirife ſhall array Aſſiſes, and deliuer the Copies. S. Aſſiſe 8.

Eſcape. 14 What the Shirife ſhall forfeit, which doth ſuffer an Eſcape, or doth take any thing for an eſcape. S. Eſcape 1. 2.

Hawkes. 15 How the Shirife ſhall vſe a Hawke which is found, taken vp, and brought vnto him. S. Hawkes 2.

Bayling an offender. 16 For the puniſhment of the Shirife which letteth one go, which is not repleuiſable. S. Mainpriſe 3.

Knights of the parliamẽt. 17 For all the Shirifes duetie about the electing and returning of Knights of the Parliament, Burgeſſes of the Parliament, and leuying of their wages. S. Parliament 4. 5. 8. 12.

Stoned horſes. 18 Euery Shirife ſhall inquire of defaults in not keeping of Stoned Horſes, and certifie the ſame into the Exchequer. S. Horſes 12.

Inquirie of waſt. 19 In what caſe and maner the Shirife vpon precepts ſhall go to inquire of waſt. S. Waſt 3.

Forcible entries. 20 The Shirife ſhall attend vpon a Iuſtice of Peace, to arreſt thoſe which make any forcible entries. S. Force 4.

Returning Iurors. 21 What Iurors, and of what ſufficiencie the Shirife in ſeuerall caſes ſhall returne, and vpon what paine. S. Iurors 12. 13. 14. 16. 19. 20.

Purueyors. 22 In what maner the Shirife ſhall make purueyance for the Kings Horſes and Dogs within his Countie. S. Purueyors 10.

Wales. 23 By whom the Shirifes in Wales ſhall be appointed, their authoritie, accompt, courts, fees, &c. S. Wales 36. &c.

Returnes. 24 Amerciaments of Shirifes for inſufficient returnes. S. Returnes 11.

25 Shirifes ſhall execute ſuch proces which ſhall come to them from Iuſtices of Peace, touching annoyance of Bridges. S. Bridges 8.

Silke.

NO perſon ſhall bring, or cauſe to be brought into this Realme of England to be ſold, any Silke wrought by it ſelfe, or with any other ſtuffe in any place out of this Realme, in ribbands, laces, girdles, corſes, caules, coꝛſes of tiſſues, or points, vpon paine to forfeit to the K. and any of his ſubiects that will ſeiſe the ſame (the which to do, it ſhalbe lawfull to euerie of the K. ſubiects) al the ſame ribbands, laces, &c. in whoſe hands ſoeuer they be found, or the value of the ſame. But it ſhalbe lawfull to euery perſon, aſwel ſtrangers as other, to bring into this realme all other manner of ſilkes, as well wrought, as raw, or vnwrought, to ſell at his pleaſure. And it ſhall be lawfull to all perſons that haue any ſuch ribbands, laces, girdles, caules, coꝛſes of tiſſues, or points wrought beyond the Sea, brought into this land by the K. licence, & to be ſold, to make ſale of the ſame. 19. H. 7. 21.

Theſe things wrought of ſilke may not be brought into England.

Sope Veſſels.

EVery Sopemaker putting to ſale Sope, ſhall cauſe an emptie Barrell to containe xxxij. gallons, or aboue, & not to be in weight aboue xxvj. pounds, A halfe barrell empty not to weigh aboue xiij. pounds, & to containe xvj. gallons, or aboue, An empty firkin not to weigh aboue vj. pounds & a halfe, and to containe viij. gallons or aboue of full and iuſt meaſure, vpon paine to forfeit for euery veſſell contrary iij. s. iiij. d. to the K. and I. to be recouered by A. B. P. I. wherein no W. E. P. or I. &c. 23. H. 8. 4. S. Cowpers 1. Iuſt. of Peace 79.

Spicerie, Spices.

ALl Spices, wares, drugges, and other Marchandizes garbleable, viz. pepper, cloues, mace, nutmegs, cynamon, ginger, long pepper, wormeſeedes, cumminſeedes, Annyſeedes, Coliander ſeedes, Bynny pepper, almonds, dates, galles, gummes of all ſorts & kinds garbleable, ſpikenard, galingall, turmerick, ſetwell, Caſſia fiſtula, ginnis pepper, ſenie, barberies, rice, erius, ſtaueſaker, calamus, fennicricke, Caſſia, Lignum, graines, carraway ſeedes, and all other ſpices, drugges, wares, and other Marchandizes that haue bin vſually garbled, cleanſed, ſeuered, ſorted, or diuided in the Citie of London, and the liberties thereof, ſhall for the ſaſs vſually allowed in that behalfe, be ſufficiently cleanſed, ſeuered, garbled, and diuided, and after ſealed by the garbler, thereunto appointed for the time being, or by his ſufficient deputie or deputies, ſeruant, or ſeruants, before that the ſame or any part thereof ſhall be ſold, vpon paine of forfeit of all & euery ſuch ſpices, drugges, wares, & other Marchandizes, or the value thereof, which ſhall be ſold. 1. Iac. 19.

Spices ſhalbe garbled and ſealed.

2 If any of the ſaid ſpices, drugges, wares, & other Marchandizes ſhalbe mired with any garbles, matter, or thing whatſoeuer, after ſuch time as the ſame ſhalbe firſt garbled, ſeperated, or diuided by the garbler thereunto appointed, or by his ſufficient deputie or deputies, ſeruant or ſeruants, and ſealed as aforeſaid: Then the ſaid ſpices, drugges, wares, and other Marchandizes, or the value thereof ſhall be wholly forfeited. 1. Iac. 19.

Spices mired after the garbling thereof.

3 It ſhall and may be lawfull to and for the ſaid garbler of ſpices, drugges, and marchandizes within the ſaid city of London and liberties thereof for the time being, & to & for his deputie & deputies, aſſignee or aſſignees, by vertue of this Act, at all & euery time & times in the day time to enter into any ſhoppes, warehouſes, or cellars within the ſaid Citie or Liberties thereof, wherein any ſuch drugs, ſpices, wares, or marchandizes bought or ſold, or mired, contrary to the true meaning

Searching for ſpices vngarbled.

hereof, which haue bin accuſtomed to be garbled, ſhalbe, or ſhall be ſuſpected to be, & there to view, ſée, & ſearch the ſame. And if he or they ſhall find any ſuch ſpices, drugs, wares, or marchandizes there vngarbled, which haue bæne accuſtomed to be garbled: then & ſo often it ſhall be lawfull to & for the ſaid garbler, & his deputie, or deputies, aſſignée, or aſſignées, to garble, or cauſe his or their ſeruants to garble & make cleane the ſame. The one moitie of all forfeitures in this Act mentioned ſhalbe to the King his heires & ſucceſſors, and the other moitie to him or them that will ſue for the ſame by A. of debt B. P. or I. in any Court of Record within England, wherein no E. P. W. P. or I. ſhall be allowed. 1. Iac. 19.

Spices brought in, & after tranſported vngarbled.

4 If any Marchant, or any perſon or perſons (other then Marchants Alien, or made, or to be made denizen) ſhall bring any ſpices, drugs, or other marchandizes that be garbleable within this realme and ſhall not offer the ſame to ſale, or ſell the ſame within the Realme, but ſhall bona fide, and without fraud or couin reſerue or retaine the ſame vnſold, to be tranſported out of the realme, & ſhall tranſport the ſame within 8. moneths, to be accounted from his firſt landing or arriual with ſuch ſpices, drugges, or other marchandizes garbleable, by the prouiſion and intention of this Act: for ſuch ſpices &c. ſo to be tranſported vngarbled and not ſold within this realme, no penaltie mentioned in this ſtatute ſhall be forfeited or incurred by any perſon or perſons (other then marchants, alien, or denizen as aforeſaid.) 1. Iac. 19.

Statutes and Recogniſances.

Statute Marchant.

EVery Marchant that will be ſure of his debt, ſhall cauſe his debtor to come before the Mayor of London, Yorke, or Briſtow, or before ſome chiefe Warden of one of theſe, or ſome other good towne thereunto aſſigned by the King, & before the Maior, chiefe Warden, or other ſufficient men choſen and ſworne thereunto, when the Maior or chiefe Warden cannot attend, & before one of the Clerks thereunto by the K. aſſigned, when both cannot attend, & to acknowledge the debt, & the day of paiment. And the Recogniſance ſhall be inrolled by the hand of one of the Clerkes which ſhall be knowne, and the roule ſhall be double, whereof one part ſhall remaine with the Mayor or chiefe Warden, and the other with the ſaid Clerke. And one of the Clerkes with his owne hand ſhall write the Obligation, to which writing the debtors Seale ſhall be put with the Kings ſeale to that vſe prouided, the which ſeale ſhall be of two pieces, whereof the great piece ſhall remaine with the Maior, or chiefe Warden, and the other in the cuſtody of the foreſaid Clerkes. And if the debtor doe not pay the debt at the day to him aſſigned, the Marchant ſhall come to the Maior and Clerke with his writing obligatorie. And if it be found by the roll or writing, that the debt was knowledged, and the day of payment expired, the Mayor or chiefe Wardens ſhall cauſe the body of the debtor to be apprehended (if he be a lay man) whenſoeuer he commeth within his iuriſdiction, & committed to the priſon of the ſame towne (if there be a priſon) and there he ſhall remaine at his owne coſts, vntill he hath agréed for the debt. And the képer of the towne priſon ſhall receiue him by the deliuerance of the Maior or chiefe Warden, and if he ſhall not receiue him, the képer of the priſon ſhall immediately anſwere the debt, if he haue wherewith, but if he haue not wherewith, he ſhall anſwere the debt which committed the képing of the priſon vnto him. And if the debtor cannot be found within the power of the Maior, or chiefe Warden: then the Maior or chiefe Warden ſhall ſend the Recogniſance of the debt vnder the Kings foreſaid ſeale vnto the Chauncerie, from whence ſhall be directed a writ to the ſherife, within whoſe Bailiwike the debtor may be found, that he ſhall take his body (if he be a lay man) and kéepe him in ſafe priſon, vntill he

The ſeale of the Statute.

The debtor impriſoned.

The ſtat. certified into the Chancerie.

hath

hath agréed for the debt, and within a quarter of a yeare after he is taken, he shall haue his lands & goods deliuered vnto him, so that with them he may liue and pay his debt, and it is lawfull for him within this quarter, to sell his lands and tenements to discharge his debt, and his sale shal be good. But if he do not agrée within the quarter, after the quarter of a yeare expyred, all the goods & lands of the debtor shall be deliuered to the Marchant by a reasonable extent, to hold vntill the debt be fully leuied, and neuertheleſſe the body shall remaine in prysson, and the Marchant shall find him bread and water. And if they which do praise the moueable goods, which are to be deliuered to the creditor, doe praise them at too high a price in fauour of the debtor, and to the dammages of the Creditor, the thing praysed shal be deliuered to them for the price which they haue set, & they shal immediatly answere the Creditor his debt. But if the Debtor will say, that the moueable goods were sold or deliuered for leſſe then they were worth, thereof he shall haue no remedy, for that the goods were lawfully sold to him that would offer most for the same, for he may reckon it his owne folly, which might haue sold his goods before the suit commenced, and leuied the money with his owne hands, and would not. And the Marchant shall haue in the land so deliuered to him, such seisin, that he may thereupon bring an Assise of Nouel disseisin, if he be put out, and a Redisseisin also, as of his freehold, to hold to him and to his assignes, vntill the debt be paied, and after the debt be leuied & paied, the body of the debtor shall be deliuered with his lands. And in the writs which shall be directed out of the Chauncerie, mention shall be made, that the Shirife shall certifie the Justices of the one Bench, or the other, at a certaine day, how he hath performed the Kings commaundement, at which day the Marchant shall sue before the Justices, if he be not satisfied. And if the Shirife returne no writ, or returne that the writ came too late, or that he hath sent to the Baylifes of Franchises (then the Justices shall do according as is contained in the statute of Westm 2.) And if the Shirife returne that the Debtor is not found, or is a Clerke, then the Marchant shall haue writs to all the Shirifes where he hath land, that they shall deliuer all the cattels & tenements of the debtor, by a reasonable extent, to hold to him and his assignes, in forme aforesaid: and neuertheleſſe, he shall haue a writ to what Shirife he will, to take his body (if he be Lay) and to hold it in forme aforesaid. And the keeper of the prison must keepe him safely, for he shall answere the body, or the debt. And after the debtors lands be deliuered vnto the Marchant, the debtor may well sell his lands, so that the Marchant receiue no dammage by the approuement. And the Marchants shall haue all their necessary dammages & costs in trauell, suit, delay, and expences allowed vnto them, & if he be a Marchant stranger, he shall remaine at the costes of the debtor, for so long time as he tarrieth about the suit of his debt, and vntill the goods of the debtor be sold, or deliuered vnto him. And if the debtor do find pledges or suerties after the day passed, the suerties shall be vsed in all respects, as is aforesaid of the principall debtor, concerning taking of their bodies, deliuering of their lands, & other things. But so long as the debt may be fully leuied of the moueable goods of the debtor, the suerties shall receiue no losse. And when the debtors lands shall be deliuered to the Marchant, he shall haue seisin of all the lands which were in the debtors hands the day of the Recognisance knowledged, into whose hands soeuer they doe after come, either by feoffement, or other maner. And after the debt paied, the land, and the issues of the land of those which be debtors by feoffement, shall aswell returne againe to the feoffées, as the other lands to the feoffors. And if the debtor, or his suerties die, the Marchant cannot take the body of his heire, but shall haue his lands in forme aforesaid, if he be of full age, or when he shall be of full age, vntill he haue leuied so much as his debt amounteth vnto. Before the Recognisances shal be inrolled, the penalty of this statute shalbe openly read

Execution of the debtors lands & goods.

The goods extended deliuered to the Prayſers.

A remedy for tenant by stat. Marchant being put out.

S. Returne of Shirifes 3.

The debtor not found, or a Clerke.

The Gaoler must answere the body, or the debt.

The Consuls shall haue his costs and expences.

Suerties.

Of what lands the Consuls shall haue execution.

No execution of an Infants lands.

The penaltie of the statute read before the debtor.

read before the Debtor, so that he shal not after excuse himselfe by ignorance of the paine whereunto he bound himselfe, and the King shall haue in euery Towne where the Seale is, to maintaine the costs of the Clerke j.d. of euery pound. Acton Burnel 11. E. 1. de Mercatoribus. 13. Ed. 1. And all Recognisances of statute Marchant, and Acton Burnell, which shall be knowledged, inrolled, & sealed with the Seale appointed to the Citie of Chester, before the Maior of the same Citie, in like maner as the Mayors, and other Officers in the said Citie haue accustomed to take, in coule, & seale, shall be good and effectuall in the Law. 2. Ed. 6. 31.

Statutes in Chester.

Clerke of the statute shall haue sufficiēt, & dwell vpon his office.

2 Euery Clerke which shall be deputed to receiue Recognisances in Cities and Boroughes, according to the statute Marchant, shall abide in proper person to do his office, and shall haue lands sufficient in the same Countie, whereof he may answere all persons if he offend, and if there be any other in such an office, he shall be remoued, and an other more meet be set in his place. 14. E. 3. 11.

Execution awarded vpon a statute once shewed in Court.

3 Where a statute Marchant is certified into the Chancerie, and thereupon a writ awarded to the Shirife, and returned into the Common Place, & the statute thereon shewed, howsoeuer the proces after this shewing be discontinued, at what time the party sueth to recontinue the processe, and to haue execution of the statute Marchant, the Justices of the Bench in which the statute was once shewed, may vpon the same Record award & make full execution of the said statute, without hauing any other sight thereof after. Anñ 5. H. 4. 12.

Statute Staple.

4 To the intent that Contracts made within the Staple, shal be the better holden, & payments readily made, euery Maior of the Staple hath authoritie to take Recognisances of debts that a man will knowledge before him in the presence of the Constables of the Staple, or one of them. And in euery Staple there shall be a Seale, remaining in the custodie of the said Maior, vnder the seales of the same Constables. And all Obligations which shall be made vpon such Recognisances, shal be sealed with the same Seale, paying for euery Obligation of 100. l. and vnder, of euery pound a halfe peny, and of euery Obligation aboue 100. l. of euery pound a farthing. And the Maior of the Staple, by vertue of the same writing obligatorie so sealed, may take & hold in prison the bodies of the Debtors after the terme incurred, if they be found within the staple, vntill they haue agreed with the Creditor for his debt & damages, and also arrest the goods of the said debtors found within the said staple, & deliuer the said goods to the said creditors, according to the very value, or sell them at the best he may, & deliuer so much thereof to the Creditors, as the summe due. And if the Debtors cannot be found within the Staple, nor their goods to the value of the debt, that shal be certified into the Chancery vnder the said Seale: Vpon which Certificat, a writ shall be directed, to take the bodies of the said debtors, without letting them to baile, & to seise their lands, tenements, goods, & chatels. And the writs shal be returned into the Chauncery, with a Certificat of the value of the said lands, tenements, goods, & chattels, & therupon due execution shall be made from day to day, in maner as is contained in the statute Marchant, so that he to whom the debt is due, shall haue an estate of Freehold in the lands & tenements, which shall be deliuered vnto him by vertue of this procelle, and shall recouer by Assise of Nouel disseisin, if he be put out. But the Debtor shall haue no aduantage of the Quarter of a yeare which is contained in the statute Marchant. But if the Creditor will haue no letters vnder the said Seale, but will stand to the faith of the Debtor, if after the terme incurred, he demaund his debt, the debtor shal be credited vpon his faith. 27. Ed. 3. 9. And if any Maior of the Staple, do receiue any recognisance of debt against the forme aforesaid, he shal pay to the K. one halfe of the summe knowledged before him. 15. R. 2. 9. S. 14.

Execution of the bodie and goods of the Conusor.

The statute certified into the Chancery.

Recognisance in nature of the stat. staple.

5 The chiefe Justice of the K. Bench, and the chiefe Iust. of the Common Pleas, and euery of them by himselfe, and in their absence out of the Terme, the

Maior

Maior of the Staple at Westm. and the Recorder of the Citie of London for the time being, iointly together by his or their discretion, haue authoritie to take Recognizances or knowledges of euerie of the K. subiects for the payment of debts, according to such forme as hereafter ensueth.

6 Nouerint vniuersi per presentes me A. B. & C. D. Armig', teneri & firmiter obligari Ioh. at Stile in centum libr̃ sterling', soluendis eidem Iohanni aut suo certo Atturnato hoc scriptum ostendent̃ hered' vel executoribus suis in tal' fest. &c. prox' futur̃ post datum præsentiũ. Et si defecero vel defecerim⁹ in solutione debiti p̃dict', volo & concedo: *vel sic*, volumus & concedimus, ꝙ tunc currat super me, hæred' & executors meos: *vel*, super nos & quemlibet nostrũ, hæred' & executores nostros, pœna in Statut̃ stapulæ de debit̃ pro merchandisis in eadem emptis recuperand' ordinat̃ & prouisa. Dat̃ tali die, An̄ regni &c. 23. H. 8. 6. The forme of the recognizance.

7 And euery Obligation that shall be made, as is afore said, and knowledged before any of the said chiefe Iustices, or the said Maior and Recorder, according to this Act, shall be sealed with the seale of the partie or parties that shall recognise or knowledge the same, and also with the K. seale ordained for the same, and with the seale of one such of the said Iustices, or with the seales of the said Maior and Recorder, and with his or their name or names subscribed, that so shall take the same recognisance or knowledge. And euerie of the said two Iust. and the Maior and Recorder shall haue the custody of one such seale, by the K. appointed, with one like print, scripture, and fashion, which shall seuerally remaine with them, to the intent aboue rehearsed. 23. H. 8. 6. Sealing of a recognizance.

8 An honest and discrect person assigned by the King, or his sufficient deputie or deputies, shall make and write all such obligations as shall be knowledged and recognised by authoritie of this Act, and shall cause the same beeing knowledged and recognized in forme as is abouesaid, to be inrolled in two seuerall rolles indented, whereof one shall remaine with such of the said Iustices, or with the said Maior and Recorder, that so shall take the same recognizance, and the other with the writer thereof, appointed for the same. And the said person appointed for making writing and inrolling of such obligations, or his sufficient deputie or deputies, shall be dwelling or abiding in the City of London, vpon pain to forfeit for euerie time that he and his deputie shalbe absent by the space of 4. daies 1. pounds, and the said person so appointed, or his sufficient Deputie or Deputies at the request of the Creditors, their Executors, or Administrators, shall certifie such obligations, as shalbe taken & recognized by authoritie of this Act, into the Chauncery, vnder the seale of the person so appointed &c. 23. H. 8. 6. Clerke of the Statutes. Certificat into the Chauncerie of the recognizance.

9 Euerie person and persons to whom any such Obligation shall be made, knowledged, & inrolled as is afore said, their executors and administrators, and the executors & administrators of euery of them, for default of payment of the debts contained in such Obligations, shall haue in euery point, degrꝛe, & condition against the said recognizor & recognizors, & euery of them, their heires, executors, & administrators, and the heires, executors, and administrators of euerie of them, like proces, execution, commoditie, and aduantage in euerie behalfe, as hath bꝛen vsed and accustomed before this time to be had, done, or made, of and vpon any obligation of the Statute of the Staple, and vnder such maner and forme as is for the same Statute of the staple prouided, paying for such proces and execution to be had, such like fées as is accustomed for proces & execution to be had vpon obligations of the same Statute of the staple, and not aboue. 23. H. 8. 6. Execution vpon a recognizance.

10 Euerie such person & persons that shal be bounden, or otherwise grieued by vertue of any Obligation made by authority of this Act, shal haue their like remedie by Audita querela, & al other remedies in the law, that they might haue had, in case they had bꝛen bounden by obligation of the Stat. of the Staple. 23. H. 8. 6. Audita querela.

11 Euerie

The K. shall haue an ob. in the K. vpon execution sued.

11 Euerie person that shall haue proces for execution to be had, by reason of any Obligation to be made and knowledged according to this Act, shall pay to the King &c. at the sealing of the said proces a halfe penie for euerie pound, that shall be contained in the Obligation, whereof execution shall be required, & not aboue. 23. H.8. 6.

The remedy for tenant by recognisance being disseised.

12 Euery such person and persons that shall haue execution of any lands, tenements, or hereditaments, by reason of any such Obligation, made and knowledged, as is aforesaid, and their executors, administrators, or assignes, and the executors, administrators, and assignes, of euerie of them (if they or any of them be put out, or disseised) shall haue like remedie in euerie condition, as persons hauing execution, in and vpon any statute of the staple, after execution of them had, may, or might haue, by vertue of the said writing obligatorie of the stat. of the staple, & execution of the same 23. H.8. 6.

The Iust. & Clerks fee vpon euery recognisance.

13 Euery of the said Iustices, and the said Maior and Recorder before whom any such Obligations shall be recognized, shall take for euery knowledge of euery one such recognizance, iij. s. iiij. d. and not aboue. And the Clerke that shall write, make, and inroll the same, iij. s. iiij. d. And for the certificat of euery one such Obligation, xx. d. And if any of the said Iustices, Maior, Recorder, or Clerkes, take of any of the K. subiects aboue the summe or summes to them limitted by this statute: then the said Iustices, Maior, Recorder, or Clerke, that shall take contrary to the forme aforesaid, shall forf. for euery time so offending to the K. & I. xl. l. to be recouered by A. I. &c. wherein no Wl. &c. E. P. &c. 23. H.8. 6.

In what cases recognisances by stat. staple may be taken.

14 No Maior or Constable of the staple, for the paiment of any summe of money, shall take any knowledge or recognisance of the said statute of the staple of any of the K. subiects, vpon paine to forf. to the K. and I. for euery time so offending, xl. l. to be recouered by A. I. &c. wherein no Wl. &c. E. P. &c. But this Act is not preiudiciall to any Mayor & Constables of the staple, for any band or writing of the statute of the staple to be taken or receiued betweene Marchants being free of the same staple, for marchandizes of the same staple, betweene them lawfully bought and sold. 23. H.8. 6.

The contents of statutes shall be entred in the Clerks office.

15 The whole tenour and contents of all statutes marchants and statutes of the same staple, hereafter to be knowledged, shall within 6. moneths next after such knowledging, be entred in the Office of the Clerke of Recognisances, taken according to the statute made 23. H.8. by the shewing forth of the said stat. marchant or statuts staple so knowledged, vnto the said Clerke, which said Clerke of the recognisance shall enter or cause to be entred the same statutes, in a booke for that purpose to be prouided, and safely kept by him, taking viij. d. and no more for euery such entrie. 27. El. 4.

The stat. not entred void against the purchaser of the lands liable to the same.

16 If the partie to whom any such statute marchant, or of the staple shall be knowledged, his executors or administrators, doe, or shall not within 3. months next after the knowledging of any such statute, bring, and deliuer, or cause to be brought & deliuered vnto the said Clerke, or his deputie or deputies for the time being, all and euery such statute and statutes as shall be so knowledged to him, or to his vse, whereby, and to the intent, that the said clerke, his deputie, or deputies, may take & enter a true copie thereof: Then euery such statute marchant & of the staple not so entred shall be void, frustrate, & of none effect, against all & euery such person and persons, bodies politike & corporat, their heires, successors, executors, administrators, & assignes onely, as shall after the knowledging of the said Stat. or any of them, purchase for money or other good consideration, the lands, tenements, or hereditaments, which were liable to the same statute marchant, or of the staple, or any part or parcell thereof, or any rent, lease, or profite, of, or out of the same. 27. El. 4.

17 If the said clerke, or his deputie or deputies for the same being, shall not vpon such shewing & deliuerie vnto him or them of any statute marchant, or of the staple, enter, or cause to be entred the same in his said booke, within the said time of 6. months, & also endorce vpon euery such statute so by him entred, the day and yeare of his said entry, with his or their owne name: then euery such clerke fayling, or defectiue in that behalfe, shall forfait & lose for euerie statute marchant & of the staple so brought vnto him or them, & not entred & endorced, or caused to be entred & endorced as aforesaid, the summe of vv.l. The one moitie whereof to be to the Q. Maiestie, her heires, or successors, and the other moity to him or them that will sue for the same in any of the Q. Courts of Record, by A. of debt, B. P. or I. wherein no E. P. or W. 27. El. 4. The Clerke not entring or endorcing a statute brought vnto him.

18 No Clerke of the said Recognisances shall or may take, for, or in respect of any search to be made, for, or concerning any statute marchant, or of the staple, so to be entred, as aforesaid, aboue ij. d. for one yeares search, and so after the rate of ij. d. for euery yeare, and not aboue, vpon paine to forfeit and lose to the partie or parties grieued thereby, twentie times as much as he shall take contrarie to the true meaning of this Act, to be recouered in any of the Q. Maiesties Courts of Record, by A. of debt, B. P. or I. wherein no P. or W. of law shall be allowed. 27. El. 4. 39. Eliz. 18. Clerke of the recognisances fees for search

1 In what maner execution shalbe made of lands in Wales, vpon a statute or Recognisance. S. Wales 67.

2 No Statute or Recognisance shall bee auoided by a fained Recouerie. S. Recoueries 9.

3 He which sueth to defeat execution vpon a statute, shall find suertie to the K. and the partie. S. Corpus cum causa 2.

4 Obligations taken in the Court of wards, shall bee of the same strengh as a statute staple. S. Wards 27.

5 Obligations made to the King, shalbe of the same strengh, as a statute staple. S. Accompt. to &c. 1.

6 Obligations taken of Ecclesiasticall persons for their first fruits, be of the same strength as a statute staple. S. Ecclesiasticall &c. 25.

7 A remedie for the Conisee where lands taken by him in execution be recouered. S. Execution 3.

8 The lands of certaine Accomptants to the King shalbe liable to the paiment of their arrerages, and be put in execution, as if they were bound in statute staple. S. Accompt. &c. 29.

9 The force of Recognisances taken before the Maior and Constables of the staple beyond the sea. S. 10. H. 6. 1.

Steele.

If any person do forge or make any gads of yron, called Bilbow yron, like to the fashion and maner of gaddes of Steele, or doe vtter or put to sale any such gaddes of any yron, he shall forfeit for euerie gad so forged, vttered, or put to sale, foure pence to the K. and I. to be recouered by A. B. P. I. &c. wherein no W. &c. E. P. &c. 2. E. 6. 27.

Stealing, Felonie.

All and singuler such seruants, to whom any caskets, iewels, money, goods or cattells by his or their maisters or mistresses, shall from henceforth be deliuered to keepe, if any such seruant or seruants withdraw him or them from Seruants stealing their Maisters goods.

their ſaid maſters, or maſtreſſes, and goe away with the ſaid caſkets, iewels, money, goods or cattels, or any part thereof, to the intent to ſteale the ſame, and defraude his or their ſaid maſters or maſtreſſes thereof, contrary to the confidence and truſt to him or them put by his or their ſaid maſters or maſtreſſes, or elſe being in the ſeruice of his ſaid maſters or maſtreſſes, without aſſent or commaundement of his maſter or maſtreſſe, he imbezill the ſaid caſkets, iewels, money, goods, or cattels, or any part thereof, or otherwiſe conuert the ſame to his owne vſe, with like purpoſe to ſteal it: If the ſaid caſkets, iewels, money, goods, or cattels, that any ſuch Seruant ſhall goe away with, or which he ſhall imbezill, with purpoſe to ſteal it, as is aforeſaid, be of the value of xl. ſhillings, or aboue: Then the ſame falſe, fraudulent, and vntrue act and demeanour from henceforth ſhall be deemed and adiudged Felonie. And he or they ſo offending, to be puniſhed as other felons be puniſhed for Felonie committed by the courſe of the Common Law. Prouided alway that this Act, or any thing therein conteined, ſhall not in any wiſe extend, or be preiudiciall to any Apprentice, or Apprentices, nor any perſon wythin the age of eighténe yeares, going away wyth his or their Maſters goods, or iewels, or otherwiſe conuerting the ſame to his or their owne vſes, during the time of their Apprenticeſhip, or being within the ſame age of eighténe yeares: but that euery Apprentice, or Apprentices, ſuch perſon or perſons being within the ſaid age, doing or offending contrarie to this preſent Act, ſhall be and ſtand in like caſes, as they and euery of them were before the making of this Act. 21. Hen. 8. 7. 5. Eliz. 10.

Suggeſtion.

IF any man do make a Suggeſtion to the Kings Maieſtie, he ſhall be ſent with the ſame Suggeſtion to the Lord Chauncellor, Treaſorer, and the Kings great Councell, and there ſhall find ſuertie to purſue his Suggeſtion, and then Proces ſhall be awarded againſt him of whom the Suggeſtion is made, without being taken, or impriſoned. 37. Edw. 3. 18. And if he which maketh the complaint cannot proue his Suggeſtion, he ſhall be ſent to priſon, vntill he hath agréd wyth the partie for his dammages and ſlaunder, and after ſhall make fine and raunſome to the King. 38. Edw. 3. 9. And the Chauncellor of England hath authoritie to award dammages to him which is troubled in the Chauncerie, or in forme aforeſaid wrongfully. 17. Rich. 2. 6. S. Accuſation 1.

1 Where he that ſueth for a Prohibition ſhall make a Suggeſtion and proue the ſame. S. Prohibition 10.

Surgeons.

Surgeons in London admitted by the Biſhop.

NO perſon within the Citie of London, nor within 7. Miles of the ſame, ſhall take vpon him to exerciſe and occupie as a Surgeon (except he be firſt examined, approued, and admitted by the Biſhop of London, or by the Deane of Paules, calling to him foure perſons expert in Surgerie) vpon paine of forfaiture for euery Moneth that any perſon doth occupie as a Surgeon, not admitted, nor examined in forme aforeſaid, v. pounds to the K. and I. to be recouered by A. of debt, wherein no W. ſc. E. P. ſc. But this Act ſhall not be preiudiciall

to

to the Vniuerſities of Oxford and Cambridge, or any liberties graunted to them. 32.H.8.11.

2 No perſon out of the ſaid Citie and precinct of ſeauen myles of the ſame, (except he hath been approued in the ſame) ſhall take vpon him to occupie as a Surgeon in any dioceſſe within this Realme, but if he be firſt examined and approued by the Biſhop of the ſame dioceſſe, or he being out of the dioceſſe by his Vicar generall, either of them calling to them ſuch expert perſons in the ſaid facultie, as they ſhall thinke conuenient, and gyuing their letters teſtimoniall vnder their ſeale to him that they ſhall ſo approue, vpon paine of forfeiture of fiue pounds for euery moneth that any doth occupie, not admitted nor examined in forme aforeſaid &c. But this Act ſhall not be preiudiciall to any of the foreſaid Vniuerſities &c. 3.H.8.11. Notwithſtanding the foreſaid ſtatute, it is lawfull to euery perſon, being the Kings Subiect, hauing knowledge and experience of the nature of hearbes, rootes, and waters, or of the operation of the ſame, by ſpeculation or practiſe, within any part of the Kings Dominions to practiſe, vſe, and miniſter, in, and to any outward ſore, vncome, wound, apoſtemations, outward ſwelling, or diſeaſe, any herbe or herbes, ointments, bathes, pultes, and vnplaſters, according to their cunning, experience, or knowledge in any of the diſeaſes, ſores, and maladies beforeſaid, and all other like to the ſame, or drinkes for the ſtone or ſtrangurie, or agues, without trouble, or penaltie &c. 34.H.8.8. And foraſmuch as the ſcience of Phiſicke doth containe the knowledge of Surgerie, as a ſpeciall member and part of the ſame: any of the company of Phiſitians within the citie of London being able, choſen, and admitted by the Preſident and fellowſhip of the Phiſitians in London, may from time to time, aſwell within the citie of London, as elſewhere within this Realme, practiſe and exerciſe the ſaid ſcience of Phiſicke, in all and euery his members and parts. 32.H.8.40.

Surgeons ſhall be appointed by the Biſhop of the Dioceſſe.

Helpes of outward ſores.

The Phiſitians of London may practiſe Surgerie.

3 By the Statute of 32.H.8.42. it was ordained, that the two ſeuerall companies of Barbors and Surgeons in London, and euery perſon of them being a freeman of either of the ſaid Companies after the cuſtome of the ſayd City, and their ſucceſſors ſhould be from thenceforth vnited and made one entire and whole bodie corporate, and one Comminaltie perpetuall, which ſhould be called by the name of Maſters and Gouernours of the myſterie and Comminaltie of Barbors and Surgeons of London for euer, and by none other name, and by the ſame name to implead and be impleaded before all Juſtices, in all Courts, in all actions and ſuits, and to purchaſe to them and their ſucceſſors, all land &c. rents, and other poſſeſſions, and alſo to haue a common Seale, and by the ſame name to enioy all ſuch lands &c. which the Companie of Barbors then had, and to enioy all benefits, graunts, fraunchiſes, liberties &c. at any time graunted to the ſaid company of Barbors. And that they and their ſucceſſors, ſhall haue the ſearch, ouerſight, puniſhment and correction, aſwell of freemen as of forreiners, for ſuch offences as any of them ſhall commit againſt the good order of Surgerie, as before time amongſt the company of Barbors hath been vſed. And that all perſons of the ſaid Companie incorporat, and their ſucceſſors, that ſhall be lawfully admitted and approued to occupie Surgerie (after the forme of the Statute of 3.H.8.11.) ſhall be exempt from bearing of Armour, or to be put in any watches or enqueſts: But euery ſuch Surgeon, and Barbor ſhall pay ſuch ſcot and lot, and other charges, as they and their predeceſſors haue accuſtomed to pay within the ſaid Citie. And that the ſaid Maſters and Gouernours, and their ſucceſſors yearely for euer, after their diſcretions, at their free liberty, ſhall and may haue and take without contradiction foure perſons condemned, adiudged, and put to death by the order of the lawes of this Realme for Anotamies, without any fur-

Surgeons & Barbors made one Company.

Surgeons exempt from bearing Armor, watches, and enqueſts.

iiij. Anotamies.

ther ſuit or labour to be made to the King &c. for the ſame, and to make inſcition of the ſame dead bodies, or otherwiſe to order the ſame at their pleaſure, for the better knowledge and experience in Surgerie. And that at times accuſtomed, there ſhall be choſen by the ſame company foure Maſters and Gouernours of the ſame Corporation or companie, of the which foure two of them ſhall be expert in Surgerie, and the other two in Barberie: Which foure Maſters, and euerie of them, ſhall haue full authority from time to time during their ſaid office, to haue the ouerſight, ſearch, & correction of all ſuch defaults and inconueniences as ſhall be found amongſt the ſaid Companie vſing Barberie, or Surgerie, aſwell of freemen, as forreines and ſtrangers within the City of London, and circuit aforeſaid, after their diſcretions.

Foure gouernors of the Corporation.

No Barbor in London ſhal vſe Surgerie.

4 No perſon within the Citie of London, Suburbs of the ſame, and one myle compaſſe of the ſaid Citie, vſing any barberie or ſhaning within the ſaid Citie, ſuburbs, or one myle circuite of the ſame Citie, nor none other for him, or to his vſe, ſhall occupie any Surgerie, letting of blood, or any other thing belonging to Surgerie (drawing of teeth onely excepted) vpon paine to forfeit for euery moneth offending to the contrarie fiue pounds to the Quéene and Informer, to be recouered by Action, I. &c. wherein no W. &c. E. P. &c. 32. H. 8. 42.

No Surgeon ſhall vſe the craft of Barberie.

5 Whoſoeuer vſeth the myſterie or craft of Surgerie within the circuit aforeſaid, as long as he ſhall vſe the ſame, ſhall not occupie the craft of Barberie or ſhauing, neither by him ſelfe, nor by any other for him to his vſe, vpon the pain aforeſaid. 32. H. 8. 42.

Euery Surgeon ſhal haue a ſigne at his doore.

6 All perſons vſing Surgerie, as well freemen as forreins and aliens within the ſaid Citie of London, the Suburbes thereof, and one myle compaſſe of the ſayd Citie, ſhall haue an open ſigne on the ſtréete ſide, where they ſhall dwell, that all the Kings liege people there paſſing by, may know at all times whither to reſort for their remedies in time of neceſſitie, vpon paine aforeſaid. 32. H. 8. 42.

None ſhall be barbor in Lõdon, but a freeman.

7 No perſon ſhall kéepe any ſhoppe of Barberie or ſhauing within the City of London (except he be a freeman of the ſame corporation and company) vpon the paine aforeſaid. But it is lawfull to any of the Kings ſubiects, not being a Barbor or Surgeon, to retaine and kéepe in his houſe, as his ſeruant, any Barbor or Surgeon, which ſhall and may vſe thoſe faculties of Barberie and Surgerie, or either of them in his maſters houſe, or elſewhere, by his maiſters licence or commaundement. 32. H. 8. 42.

Euchmã may kéepe a Surgeon or Barbor for his ſeruant.

1 No ſtranger, being a common Surgeon, ſhal be interpreted a handicrafts man. S. Aliens 13.

Suit of Court.

NOne that is infeoffed by déede, ſhall be diſtrained to do ſuit in the Court of his Lord, without he be ſpecially bound thereunto by the forme of his déede (onely thoſe except, whoſe, auncéſtors or they themſelues haue vſed to doe ſuch ſuit &c.) And they that are enfeoffed by déed to doe a certaine ſeruice, as for ſeruice of ſo many ſhillings by yeare to be acquited of all ſeruice, ſhall not be bound to doe ſuch ſuits, or other like, contrary to the forme of their feoffement. Marl. 52. H. 3. 9.

One ſuit for ſeuerall copercenors or tenants.

2 If any inheritance, whereof but one ſuit is due, diſcend vnto many heires, as to parceners, who ſo hath Entiam partem, ſhall doe the one ſuit for himſelfe, and his fellowes. And other coheires ſhall be contributorie for their portion, for doing ſuch ſuit. And if there be diuers feoffées of an inheritance, whereof but one

ſuit

ſuit is due, the Lord of the fée ſhall haue but that one ſuit, and ſhall not exact of the ſaid inheritance but one ſuit, as hath bẽn vſed to be done before. And if thoſe feoffées haue no warrant or meane which ought to acquite them, then all the feoffées, according to their portion ſhall be contributorie for doing the ſuit for them. Marlb. 52. H. 3. 9.

Swannes.

IF any perſon, or other to his vſe, ſhall haue or poſſéde any marke or game of Swannes of his owne (except he haue lands and tenements of eſtate of freehold, to the yearely value of fiue markes, aboue all yerely charges) then any other perſon being the Kings ſubiects, hauing lands to the yearely value of fiue markes, may ſeiſe the ſaid Swannes as forfeited to the vſe of the King and himſelfe. 22. Edw. 4. 6.

1 It is not lawfull to take Swannes egges out of the neſtes. S. Haukes 3. Feſants 6.

Taile.

IF lands be giuen to a man and to his wyfe, and the heires of their two bodies begotten, with condition that if the ſayd huſband and wife do dye without heire of their two bodies begotten, the land ſo giuen ſhall reuert to the donor, or his heire. Or if any man giue land in Franke marriage, which gyft hath a condition annexed (though it be not expreſſed in the déde of gyft) videlicet, That if the huſband and wyfe doe die without heire of their bodies begotten, the tenement ſo giuen ſhall reuert to the donor, or his heire. Or if any man giue land to one, and to the heires of his body lawfully begotten, in the foreſaid caſes, the will of the donor ſhall be obſerued, according to the forme expreſſed in his déede of gift, ſo that they to whom the tenement is giuen vpon condition, haue not power to alien the tenement ſo giuen, whereby the ſame tenement ſhall not remaine vnto their iſſue to whom it was giuen after their deceaſe, or reuert to the donor or his heire, if the donée haue no iſſue, or if he haue iſſue, and that iſſue die without iſſue. Nor the ſecond huſband of ſuch a woman ſhal haue any thing in ſuch land condicionally giuen after the death of his wife, by the curteſie of England. Nor the iſſue of the ſecond huſband and wife ſhall haue any inheritance: But immediatly after the death of the huſband and the wife to whom the tenement was giuen, the ſame ſhall reuert vnto their iſſue, or to the donor or his heire. Weſtm. 2. 13. Edw. 1. 1.

In gifts in taile, the donors will ſhal be obſerued.

1 A fained recouerie had againſt tenant in taile of Lands whereof the reuerſion or remainder is in the King, ſhall not conclude the heire. S. Recoueries. 2.

2 Where a fine leuied by tenant in taile, ſhall conclude the heire in taile, and where not S. Fnes 14. 17.

3 Lands entailed ſhall be charged to the paiment of the debts which the Anceſtor ought to the King. S. Accompt. to the King 6.

4 Where Lands entailed ſhall be forf. by attainder of high treaſon, and where not. S. forfaiture 2.

5 What Leaſe made by tenant in taile ſhall binde his heires. S. Leaſes 1. 2. S. Recoueries 4.

6 Preſentation to a Church by an vſurper, during the eſtate of tenant in taile, ſhal not preiudice him in the reuerſion. S. Aduowſon 1.

Tame beasts.

Cutting out of beasts tongues.

WHosoeuer doth maliciously, vnlawfully, and willingly cut, or cause to be cut out, the tongue of any tame beast, of any other persons, the said beast then being in life, shall lose vnto the partie grieued treble damnages, to be recouered by A. of Trespas, and shall forfait to the King tenne pounds for a fine. 37.H.8.6.

Tenths.

A Tenth reserued vpon Abbey lands.

AN.27.H.8.27. It is enacted, that vpon all and singuler letters Patents to be made vnder the great Seals of England, of any manors, lands, tenements, and hereditaments, belonging to any of the houses comprised in the act made 27. Hen.8. (prouided for the dissolution of Monasteries and other Religious houses, hauing not lands, rents, or other hereditaments, aboue the clære yearely value of CC. P.) to any person or persons, or bodies politique, for any estate of inheritance, there should be alwayes reserued to the King, his heires and successors, a tenure by Knights seruice in Capite, and a yearely rent of the tenth part of the yerely value of the lands to be comprised in euery such letters Patents, according to such rate as the same lands re-giuen shal be expressed to be a of yearely value in the same Letters patents: Any thing or clause contained in warrant to the contrarie thereof notwithstanding, and that none auerrement shall be made or admitted, by, or for the King, or any other person, that the manors, lands, and tenements, be of more yearely value then in the same Letters patents shall be declared.

A remedie for the Tenthes detained.

2 An 33.H.8.39. It is enacted, that if any person, or bodie politike, to whom the King hath by his Letters patents vnder his great Seale, or Seale of the Court of Augmentations, giuen, or shall giue with reseruation of rent, any lands, tenements rectories, or other hereditaments, which were or shall be in the order and suruey of any of the Courts of his Exchequer, Duchy of Lancaster, Augmentations, Surueior generall, Master of the wards and Liueries, or Court of the first Fruits and Tenths, to be had to them and to their heires or successors, or for any other estate of inheritance, or for terme of life or liues, yelding and reseruing to the King, his heires or successors, one yearely rent at one certaine daie or feast, in the same Letters patents expressed, and to be paid in the same Courts, that if the same person, bodie politike, his heires, successors, or assignes or any of them, do not truely pay vnto the Treasorers, or to the generall or particular Receiuer of the same seuerall Courts assigned for the same, to the vse of the King, at the day or feast limitted by the same Letters patents, or within three moneths next after, all such summes of money reserued by the same Letters patents, or make sufficient tender thereof to the said Treasorer, or generall or particular Receiuer: that then the same person, bodie politike, his heires, successors, or assignes, for default of payment thereof, to forfait to the King, his heires and successors, as much money as the fourth part of the same rent reserued for one yeare doth amount vnto, in the name of a paine, aboue the same rent reserued. And if he, his heires or assignes doe not pay or tender the rent within halfe a yeare after the day expressed in the Letters patents, and also the said money forf. in the name of a paine, then he shall forfait to the King so much money as the moitie of the rent reserued for one yeare doth amount, vnto besides the rent reserued, and so to forfait, for euerie halfe yeare after so much money as the whole rent reserued for one whole yeare doth amount vnto, for the which rent, arrerages, and paine, the said Treasorer

and

and Receiuer may diſtraine, and the head officer of the Court vpon certificat, may award forth proceſſe againſt the offendor for the rents and forfaitures. And if any perſon pay the ſaid Tenth, and bring an Acquitance, the Treaſorer, or Receiuer, after the receit thereof, ſhal ſigne the Acquitance, without taking any thing therefore, vpon paine of forfaiture of xl. ſhillings, and if the partie bring no acquitance, but that the Treaſorer or Receiuer doe make and ſigne one, he ſhall take but iij. d. vpon paine of forfaiture xl. ſ.

3 All Letters Patents made by King H. 8. ſithence 4. Feb. Anno 27. of his Raigne, and by King Ed. the 6. ſithence 28. Ianuarij, Anno primo of his Raigne, of Bargaines, ſales, gifts, exchanges, or otherwiſe, & ſealed with the great Seale of England, or with the great Seale of the Duchy of Lancaſter, ſhall be good, perfect, and auailable to all intents and purpoſes, according to the ſaid Letters patents: The nonage of the ſaid King Ed. 6. as Duke of Lancaſter, the lacke, or loſſe of the particulers, or bill ſigned of the Patentées, or any Act, ſtatute, or lawes, for, or concerning any tenures, reſeruations of rents, or Tenthes, to the contrarie notwithſtanding. 7. Ed. 6. 3. A Confirmation of Patents, though the Tenth be not reſerued.

1 Which Eccleſiaſticall perſons ſhall pay Tenthes, and vpon what paines. S. Eccleſiaſticall &c. 28. 29.

2 Tenthes ſhall be paied out of the lands of Colledges, Chauntries, Free chappels, &c. S. Monaſteries 27.

3 The Succeſſors remedie which payeth a Tenth due by his Predeceſſor, S. 27. H. 8. 8.

4 In what place the Biſhops of Cheſter, Gloceſter, Peterborough, Briſtow, and Oxford, ſhall pay their Tenthes. S. 34. H. 8. 17.

Tenure.

ALl Honors, Caſtles, manors, lands, tenements, and other hereditaments, holden of the King &c. by Knights ſeruice, Socage, or otherwiſe, as of any of his Dukedomes, Earledomes, Baronies, Caſtles, manors, lands, tenements, fées, or Seigniories, which be come to the King, or his Progenitors, or hereafter ſhall come to him, his heires or ſucceſſors, by meanes of any attainder of Treaſon, Miſpriſion of Treaſon, attainder of Prouiſion and Premunire, had and done by Act of Parliament, by verdict, confeſſion, conuiction, outlawrie, or of any diſſolution, ſurrender, or giuing vp of any Religious or Eccleſiaſticall houſes or places, or of any lands, tenements, or hereditaments, to any of the ſaid houſes or places belonging, ſhall not be adiudged to any intent to be holden in Capite, or as Tenure in Capite. 1. Ed. 6. 4. Magna Charta. 9. H. 3. 31. 1. Ed. 3. 13. No tenure in Capite by reaſon of lands comming to the K. by attainder, or other title.

2 This Act ſhall not be preiudiciall to the King &c. concerning any Wardſhip, Liuerie, Primer ſeiſin, fine for Alienation, or for any other profit comming to him from any perſon holding any lands, tenements, or other hereditaments of his Grace in chiefe, as of his perſon, or of any other his auncient poſſeſſions, & being not come to him by any ſuch attainder, conuiction, outlawrie, diſſolution, giuing vp, or ſurrender, as be aboueſaid. 1. Ed. 6. 4. Tenure of the King in chiefe as of his perſon.

3 This Act ſhall not giue any libertie or profit to any Tenant or Owner in fée ſimple, of any lands, tenements, or other hereditaments, which haue heretofore ſued any ſpeciall, or generall Liuerie, or Ouſter le maine, out of the hands of the K. or of any his progenitors, of any lands, &c. by what tenure or ſeruice they were, or be holden, or that haue, or ſhall confeſſe by any matter of Record, any tenure in chiefe of the King, but they, their heires & aſſignes ſhall haue and hold the ſame lands &c. in like maner, as they did before the making of this Act &c. 1. Ed. 6. 4. Concluſion of tenure by matter of Record.

4 Where

Tenures vncertainly found by office.

4 Where any Inquiſition or Office ſhall be found by theſe words, or like, Quòd de quo, vel de quibus tenementa prædicta tenentur, Iuratores prædicti ignorant, or elſe found holden of the King Per quæ ſeruitia ignorant, or ſuch like, in ſuch caſe, ſuch Tenure ſo vncertainly found, De quo, vel de quibus prædicta tenementa tenentur ignorant, ſhall not be taken for any immediate tenure of the King: Nor ſuch tenure ſo found of the King, Per quę ſeruitia ignorant, ſhall not be taken any tenure in Capite, but in ſuch caſes a Melius inquirendum ſhall be awarded, as hath been accuſtomed in old time. 2. Ed. 6. 8.

The feoffor ſhall hold of the chiefe Lord, & not of the feoffor.

5 It is lawfull for euery Freeman to ſell his lands, or tenements, or part thereof, at his owne will, ſo that he which is infeoffed ſhall hold the ſame land or tenement of the chiefe Lord of the ſame fee, by the ſame ſeruices and cuſtomes whereby his feoffor held before. And if he ſell part of his land to any man, the feoffee ſhall hold immediatly of the chiefe Lord, and ſhall be forthwith charged with ſo much of the ſeruices, as doth or ought to belong to the chiefe Lord for that parcell, according to the quantitie of the land ſold, and ſo in this caſe, the ſame part of the ſeruice ſhall remaine to the Lord, to be taken by the hands of the feoffee, for the which he ſhall be attendant to the Lord, according to the quantitie of the land ſold for the parcell of the ſeruice due. By ſuch ſales or purchaſes, no lands or tenements, or any parcell of them ſhall come into Mortmaine contrarie to the ſtatute thereof made. But this Statute extendeth onely to Lands ſold, which be holden in fee ſimple. Weſtm 3. 13. Ed. 1. Quia emptores terrarum.

A tenure in Capite reſerued vpon certaine Abbey lands.

6 Anno 27. H. 8. 27. it was enacted, That vpon all and ſinguler Letters patents to be made vnder the great Seale of England, of any manors, lands, tenements, & hereditaments (belonging to any of the houſes comprized in the Act prouided 27. H. 8. for the diſſolution of Monaſteries, and other Religious houſes, hauing not lands, rents, or other hereditaments, aboue the cleere yearely value of CC. pounds, and committed to the ſuruey of the Court of Augmentations) to any perſon or perſons, or bodies politike, for any eſtate of inheritance, there ſhall be alwayes reſerued to the King, his heires and ſucceſſors, a tenure by Knights ſeruice in Capite: Any thing or cauſe contained in warrant to the contrarie thereof notwithſtanding. After by the Statute made 35. H. 8. 14. and 37. H. 8. 20. it was prouided, that the ſaid King Hen. 8. might at his pleaſure, during a certaine time, reſerue vpon his Letters Patents graunted of certaine lands in the ſaid Statutes mentioned (not exceeding the yeerely value of xl. ſhillings, which were belonging to any of the forenamed diſſolued Monaſteries) certaine other tenures, and not in Capite.

The Patents of king H. 8. and Ed. 6 confirmed, notwithſtanding the omiſſion of Tenures.

7 But by the Statute of 7. Ed. 6. 3. it was ordained, That all Letters Patents made by King H. 8. ſithence 4. Feb. Anno 27. of his Raigne, and by King Edward the 6. ſithence 28. Ianuarij, Anno primo of his Raigne, of bargaines, ſales, gifts, exchanges, or otherwiſe, ſealed with the great Seale of England, or with the great Seale of the Duchy of Lancaſter, ſhall be good, perfect, and auailable to all intents and purpoſes, according to the ſaid Letters patents: The nonage of the ſaid King Ed. 6. as Duke of Lancaſter, the lacke or loſſe of the particulers, or bill ſigned of the Patentees, or any Act, ſtatute, or lawes, for, or concerning any tenures, reſeruations of rents, or Menthes, to the contrarie notwithſtanding. 7. Ed. 6. 3.

1 What tenure of the King doth draw to him Wardſhip, and what not. S. Wardes 17. 18.

2 He which holdeth his land by new Eſcheat of the King, holdeth not in Capite. S. Prerogatiue 8.

3 Each Coparcener of lands holden of the King in Capite, ſhall haue part of the ſame lands, and hold by the ſame tenure. S. Partition 1. Prærogatiue 6.

4 Whee

4 Where lands holden of a common perſon comming to the Kings hands ſhall be graunted ouer to an other, the tenure ſhall be reuiued. 7.Ed.4.5.

Tyles.

EVery perſon which ſhall vſe the occupation of making of thack Tyle, roſe Tyle, creſt Tyle, corner Tyle, or gutter Tyle, ſhall make it good, ſeaſonable, able, ſufficient, and well whited and annealed, and the ground whereof any ſuch Tyle ſhall be made, ſhall be digged, and caſt vp, before the firſt day of Nouember, next before that they ſhall be made, and the ſame earth ſhall be ſtirred and turned before the firſt day of Februarie then next following, and the ſame earth before it be put to making of Tyle, ſhall be truely wrought and tried from ſtones, and alſo the vaines called Mayline, or Marle, and Chalke (lying commonly in the ground nere to the land conuenient to make Tyle) after the digging of the ſaid ground, whereof any ſuch Tyle ſhall be made, ſhall be well and truely ſeuered and caſt from the earth, whereof any ſuch Tile ſhall be made. 17.E.4.4. *The preparation of the earth for the making of Tyle.*

2 Euery ſuch plaine Tyle ſhall containe in length ten ynches and a halfe, and in breadth vi. ynches and a quarter, and in thickneſſe halfe an ynch and halfe a quarter at the leaſt: And euery ſuch roſe Tile, or creſt Tile, ſhall containe in length viij. ynches, and the thickneſſe of halfe an ynch and halfe a quarter at the leaſt, with conuenient dæpneſſe according: Euery gutter Tile, and corner Tile ſhall containe in length x. ynches and a halfe, with conuenient thickneſſe, breadth, and depth according. And if any perſon ſet to ſale any ſuch Tile made againſt the foreſaid ordinance, then the ſeller ſhall forfait to the buyer the double value of the ſame Tile, and beſides ſhall make fine to the King at his pleaſure. And euery perſon that feeleth himſelfe grieued, and will ſue, ſhall haue an Action of debt againſt the offenders, and the plaintife (if it be found with him) ſhall recouer his coſtes &c. wherein no W.E.P. &c. 17.E.4.4. *The length, breadth, and thickneſſe of Tile.*

3 The Juſtices of Peace within any Countie of this Realme, and euery of them, haue power to inquire, heare, and determine the defaults and offences done againſt this Act, and if it be found, or may appeare to the ſaid Juſtices, or any of them, by examination, or otherwiſe by their diſcretions, that any perſon hath offended contrarie to this Act: then the ſame Juſtices ſhall aſſeſſe vpon the offenders no leſſe fine, then for euery thouſand of plaine Tyle ſet to ſale contrarie to this Act v. ſ. And for euery hundred of roſe Tile vj. ſ. viij. d. And for euery hundred of corner Tile, or gutter Tile x. ſ. And if leſſe be put to ſale, or ſold, leſſe fines ſhall be paied therefore, according to the rate thereof, by the diſcretion of the ſaid Juſtices, or any of them. 17.E.4.4. *Juſtices of P. ſhall heare and determine the offences of Tile making.*

4 And the ſame Juſtices haue power to call before them, or any of them, ſuch, and ſo many perſons, as ſhall haue beſt experience or knowledge in the occupation of making of Tile, to ſearch, and examine the digging, caſting, turning, parting, making, whiting, and annealing aforeſaid. And they which ſo ſhall be aſſigned Searchers, ſhall haue power to make ſuch ſearch. And no perſon ſhall put ſuch Tile to ſale, before it be ſearched by the ſaid Searchers, vpon paine of forfaiture of the ſame. And if the ſame Searchers, or any of them do find, that any perſon exerciſing the occupation of Tyle making, do offend contrarie to this ordinance, then they ſhall preſent ſuch defaults before the ſaid Juſtices at their next Seſſions, and euery ſuch preſentment ſhall be as effectuall in the law, as the preſentment of xij. men. 17.E.4.4. *Searchers of Tyle.*

5 And ſuch Searchers ſhall haue of euery Tile maker for euery thouſand of plaine Tile ſearched, a peny, of euery hundred roſe Tile, ob. and of euery hundred *The Searchers fee and duety.*

dzed corner Tile, and gutter Tile, a farthing. And the same Searchers shall do their effectuall diligence in this behalfe, accozding to this ozdinance, vpon paine of fozfaiture to the King foz euery default x. shillings. 17. Ed. 4. 4. S. Iustice of Peace 97.

Tythes, Oblations, &c.

A Decrée foz the payment of Tythes in London, and the Liberties.

Such ozder and direction as was made and Decreed by the Archbishop of Canterbury, and certaine Lozds and Knights, to whom aswell the Parsons, Vicars, and Curates of the Citie and Liberties of London, as the Citizens and Inhabitants of the same did compzemit, and put themselues, concerning the payment of Tythes, Oblations, and other dueties, within the said Citie, and liberties of the same, and is inrolled in the Chaunterie of recozd, shall be as an Act of Parliament, and shall binde aswell all Citizens, and Inhabitants of the said Citie, and liberties, as the Parsons, Vicars, and Curates, and their succesfozs foz euer, accozding to the purpozt and intent of the said Ozder and Decrée, which Decrée beareth date 24. die Feb. Anno Dom. 1544. and is as followeth. 37. H. 8. 12.

The Decrée.

2 The Citizens and Inhabitants of the Citie of London, and liberties of the same, shall yearely without fraud foz euer, pay their Tythes to the Parsons, Vicars, and Curates of the said Citie, and their succesfozs, after the rate following, videlicet, of euery x. shillings rent by the yeare of all Houses, shops, warehouses, sellers, and stables, and euery of them within the said Citie and Liberties of the same xvj. pence halfe penie. And of euery xx. s. rent by the yeare ij. s. ix. d. and so aboue the rent of xx. s. by yeare, ascending from x. s. accozding to the rate afozesaid.

A house rented at x. s. shal pay xvj d. ob. foz Tithe.

Leases reseruing no rent, oz lesse then hath bin accustomed.

3 Where any Lease hath bæn, oz shal be made of any dwelling house oz houses, shops, warehouses, sellers, oz stables, by fraud, reseruing lesse rent then hath bæn accustomed, oz without any rent reseruing, by reason of any fine payed befoze hand, oz by any other fraud, then the Farmoz thereof shall pay foz his Tythes of the same after the rate afozesaid, accozding to the quantitie of such rent, as the same houses, shops, warehouses, sellers, oz stables, oz any of them were last letten foz, befoze the making of such Lease.

Owners inhabiting their owne inheritance.

4 Euery owner, oz inheritour of any dwelling house, warehouse, seller, stable, and shop, within the said Citie, oz Liberties, inhabiting oz occupying the same himselfe, shall pay after such rate of Tithe, as is abouesaid, after the quantitie of such yearely rent, as the same was last letten foz.

Taking seuerall things by lease, & letting part thereof.

5 If any person shall take any mease, oz mansion place by Lease, and the taker thereof, his executozs oz assignes shall inhabite in part thereof, and shall let out the residue, then the first taker, his executozs oz assignes shall pay his Tythes after the rate afozesaid, accozding to his quantitie therein. And his assignes shall pay their Tythes after the rate abouesaid, accozding to the quantitie of their rent by yeare. And if any person shall take diuers mansion houses, shops, warehouses, sellers, oz stables in one Lease, and shall let one oz moze of them, and kæpe one oz moze in his owne hands, and inhabite in the same, then he shall pay his Tithes after the rate abouesaid, accozding to the quantitie of the yearely rent of such house oz houses retained in his hands. And his assigne oz assignes of the residue shall pay his oz their Tithes after the rate abouesaid, accozding to the quantitie of their yearely rents.

The Tenant of seueral houses assigneth all the same.

6 If any Farmoz, oz his assignes, of any mansion house oz houses, warehouses, shops, sellers, oz stables, shall let ouer all the same contained in his Lease, to one oz diuers persons: Then the Inhabitants, Lessæs, oz Occupiers of them, and of euery

euery of them, ſhall pay their Tithes after the rate of ſuch rents, as the Inhabitants, Leaſſées, or Occupiers, and their aſſignes ſhall be charged withall, without fraud or couin.

7 If any dwelling houſe (within viij. yeares before this Decrée) was, or hereafter ſhall be conuerted into a warehouſe, ſtorehouſe, or ſuch like, or if a warehouſe, or ſtorehouſe, or ſuch like within the foreſaid time, was, or ſhall be conuerted into a dwelling houſe: then the occupiers thereof ſhall pay Tithes for the ſame, after the rate aboue declared of manſion houſe rent. A dwelling houſe made a warehouſe, or ſtorehouſe, & conuerſo.

8 Where any perſon ſhall demiſe any Dyehouſe, or Brewhouſe, with implements conuenient for dying or brewing, reſeruing a rent vpon the ſame, aſwell in reſpect of ſuch implements, as of ſuch Dichouſe or Brewhouſe: Then the tenant ſhall pay his Tythes after ſuch rate as is aboueſaid, the third peny abated. And euerie principall houſe with Key or Wharfe, hauing any Crane or Gibit belonging to the ſame, ſhall pay after like rate of their rents as is aforeſaid, the third penie abated. And other wharfes belonging to houſes hauing no Craine or Gibit, ſhall pay for their Tithes, as ſhall be payed for manſion houſes, in forme aboueſaid. Dyehouſe or Brewhouſe with ſtock. Houſe with key or wharfe

9 Where any manſion houſe with a ſhop or ſtable, warehouſe, wharfe with crane, Timber yard, Teinter yard, or Garden belonging to the ſame, or as parcell of the ſame, is, or ſhall be occupied together, if the ſame be after ſeuered: Then the farmor or farmors, occupier or occupiers thereof, ſhall pay ſuch Tythes, as is aboueſaid, for ſuch ſhops, ſtable, warehouſes, wharfes with crane, Timber yard, Teinter yard, or Garden ſo ſeuered, after the rate of their ſeuerall rents thereupon reſerued. A houſe with other things occupied together, and after ſeuered.

10 The ſaid Cityzens and inhabitants ſhall pay their Tythes quarterly, videlicet, at the feaſt of Eaſter, the Natiuitie of Saint John Baptiſt, the feaſt of Saint Michaell, the Archangell, and the Natiuitie of our Lord by euen portions. Citizens ſhall pay their tithes quarterly.

11 Euery houſholder paying x. ſ. rent or aboue, ſhall for him or her ſelfe, be diſcharged of their iij. offering daies, but his wife, children, ſeruant, or others of their family taking their rights of the Church at Eaſter, ſhall pay y. pence for their iij. Offering daies yearely. 4. Offering daies.

12 If any houſe which hath been or ſhall be letten for x. ſ. rent by the yeare or more, be, or within viij. yeares before this decrée hath been, or ſhall be deuided & leſſed into ſmall parcels, yelding leſſe yearly rent then x. ſ. by yeare: Then the owner (if he dwell in any part of ſuch houſe) or elſe the principall leſſée, if the owner do not dwell in ſome part of the ſame, ſhall pay for his Tythes after ſuch rate of rent, as the ſame houſe was accuſtomed to be letten for, before ſuch deuiſion. And the vnder Farmor and Farmors to be diſcharged of all Tythes for ſuch ſmall parcels rented at leſſe yearely rent then x. ſ. paying y. d. a peece yearely for their iij. offering dayes. A houſe of x. ſ rent deuided into ſmall parcels,

13 For ſuch Gardens as appertaine not to any Manſion houſe, and which any perſon ſhall hold in his hands for pleaſure, or to his owne vſe, the perſon ſo holding the ſame ſhall pay no Tythes for the ſame. But if any perſon which ſhall hold any ſuch Garden, containing halfe an acre or more, doeth, or ſhall make any yearely profit thereof by way of ſale, then he ſhall pay ſuch Tythes for the ſame after ſuch part of his rent, as is herein firſt aboue ſpecified: But if any ſuch Gardens now (viz. at the time of the Decrée made) being of the quantitie of halfe an acre, or more, be hereafter by fraud deuided into any leſſe quantitie, then to pay Tythe according to the rate aboueſaid. Gardens.

14 This Decrée ſhall not extend to the houſes of great men, or Noble men, or Noble women, kept in their owne hands, and not letten for any rent, which in The houſes of noble men and Companies.

in time past hath paid no Tithes, so long as they shall so continue vnletten. Nor to any Halls of Crafts, or Companies, so long as they be kept vnletten, so that the same Halls in time past, haue not vsed to pay any Tythes.

Sheds, stables, sellers, timber yards, teinter yards.

15 This Decree shall not charge any sheds, stables, sellers, timber yards, ne teinter yards, which were neuer parcell of any dwelling house, ne belonging to any dwelling house, ne haue accustomed to pay any Tithes, but the Citizens and inhabitants thereof shall be quite of payment of Tythes, as hath bin vsed.

Lesse by custome then xvj. ō. ob. in the r.s. rent.

16 Where lesse summe then after xvj.ō.ob. in the r.s. rent, or then vj.s. ix.ō. in the rr. s. rent hath bin accustomed to be paid for Tythes, then in such places the said Citizens & Inhabitants shal pay but only after such rates as hath bin accustomed.

A meane to end contention that may arise vpon demaunding of Tythes.

17 If any variance shall arise in the said Citie for non payment of any Tyths, or if any variance or doubt arise vpon the true knowledge or deuision of any rent, or Tythes within the liberties of the said Citie, or of any extent or assessement thereof, or if any doubt arise vpon any other thing contained in this Decree: Then vpon complaint made by the party grieued, to the Maior of London for the time being, the said Maior by the aduise of Counsell, shall call the said partyes before him, and make a finall end in the same, with costes to be awarded by the discretion of the said Maior, and his assistants, according to the true intent of this Decree. And if the said Maior make not an end thereof within two Monethes after complaint to him made, or if any of the said parties find themselues grieued: Then the Lord Chauncellor vpon complaint to him made within three Monethes then next following, shall make an end in the same, with such costes to be awarded, as shall be thought conuenient, according to the intent of this Decree.

Tenements let for a smal rent, by reason of decay.

18 If any person take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great decay, burning, or such like occasions or misfortunes, then he shall pay Tithes onely after the rate of the rent reserued in his lease, and no otherwise, as long as the same lease shall endure.

Refusors to pay Tythes according to the decree.

19 Euery person denying to pay any of his Tithes, Oblations, or other duties, contrary to the said decree, shall by the commaundement of the Maior of London, & in his default or negligence by the Lord Chancelor, be committed to prison, there to remaine till he hath agreed with the Curate for his said Tythes, Oblations, & other ducties, as is aforesaid. 37. H. 8. 12.

Tithes shal be paid according to the custome of the Parish where &c.

20 All persons of the Kings dominions, shall fully and truely set out, or pay all and singuler Tithes and offrings, according to the lawfull customes of the parishes and places where such Tythes or duties shall grow, arise, or be due. And in case any person of his peruerse will, shall withhold any of the said Tythes or offerings, or part thereof, then the partie being Ecclesiasticall or lay person, hauing cause to demaund or haue the same, being thereby wronged or grieued, shall and may conuent the offendor before the Ordinary, his Commissarie, or other competent minister, or lawfull Judge of the place where such wrong shall be done, according to the Ecclesiasticall Lawes. And in euery such case the same Ordinarie &c. hauing the parties, or their lawfull procurators before him, shall and may proceed to the examination, hearing, and determining of euery such cause ordinarily or summarily, according to the course & proces of the Ecclesiasticall lawes, and thereupon may giue sentence accordingly. 32. H. 8. 7. 27. H. 8. 20

The offendor conuented before the Ordinarie.

The appellant shall pay costs of suit to the other party.

21 And in case that any of the parties for any cause concerning that suit, do appeal from the sentence of the said Ordinary or Judge: Then the same Judge forthwith shall adiudge to the other party the reasonable costes of his suit therein before expended, and shall compell the appellant to pay the same costes by compulsorie

pulsorie proces of the said Ecclesiasticall Lawes, taking suertie of the other partie to restore the same costes to the appellant, if after the principall cause of that suit of appeal shall be adiudged against the same partie, to whom the said costes shal be yelden. And so euery competent Iudge Ecclesiasticall shall adiudge costes to the other partie, vpon euery Appeal made in any suit or cause of subtraction or detention of any Tythes, or Offerings, or in any other suit made, for, or concerning the dutie of such Tythes, or Offerings. 32. H. 8. 7.

Suertie to repay costes to the appellant, if the cause be adiudged for him.

22 If any person after such sentence definitiue giuen against him, obstinately refuse to pay his Tythes, or duties, or such summes of money so adiudged, wherein he is condemned for the same: Then two Iustices of the Peace of the same Shire (whereof one to be of the Quorum) haue authoritie vpon Information, Certificat, or Complaint to them made in writing by the Ecclesiasticall Iudge that gaue the same sentence, to cause the same person so refusing, to be attached and committed to the next Gaole, and there to remaine without bayle or mainprise, vntill he shall haue found sufficient suerties, to be bound by Recognisance, or otherwise, before the same Iustices, to the vse of the King, to performe the said sentence. 32. H. 8. 7. And in like sort may any one of the kings Councell, or two Iustices of peace, vpon an information or request made to them by the Ordinary, commit any offendor to ward, for any contempt, contumacy, disobedience, or any other misdemeanor of his, in any suit for subtraction of Tythes, Offerings, or other duties of the Church, vntill he hath found suerties &c. vt supra. 27. H. 8. 20. S. Iustice of peace 104.

The offendor bound by two Iustices to obey the Ordinaries sentence.

23 In all cases where any person or persons which shall haue estate of Inheritance, freehold, terme, right, or interest, of, in, or to any Parsonage, Vicarage, portion, pention, tythes, oblations, or other Ecclesiasticall profit, made temporall, or admitted to abide in Temporall hands, and lay vses, by the Law or Statutes of this Realme, shall be disseised, deforced, wronged, or otherwise kept or put from their lawfull inheritance, estate, seisin, possession, right, or interest, of, in, or to the same, or of, in, or to any parcell thereof, by any other person or persons, pretending to haue interest, or title, in, or to the same: Then in all and euery such case and cases, the person or persons so disseised, deforced, &c. their heires, wiues, and such other, to whom such iniury shall be done, shall and may haue their remedy in the Kings, or other Temporall Courts, as the case shall require, for the recouerie, getting, or obtayning of such Inheritance, estate, freehold, seisin, possession, terme, right, or interest, by writs originall of Præcipe quod reddat, Assise of Nouel disseisin, Mortdauncester, Quod ei deforceat, writs of Dower, or other writs originals, as the case shall require, deuised and graunted in the Chauncery, of euery such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or Spirituall so to be demaunded, according to the nature and cause of the suit thereof, in like maner and forme, as they should, might, or ought to haue had, of, or for lands, tenements, or other hereditaments, in such maner to be demaunded: And writs of Couenant, and other writs for Fines to be leuied, and all other assurances to be had, made, or conueyed of any such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or Spirituall, as is aforesaid, shall be deuised and graunted in the said Chauncery, according as hath bẽn vsed for Fines to be leuied, and assurances to be had, made, or conueyed of lands, tenements, or other hereditaments. And all Iudgements to be giuen vpon any of the said Writs originall so to be deuised or graunted, of, or for any the premisses, and all Fines to be leuied in any of the kings said Courts thereof, shall be of like force and effect in the Law to all intents, as Iudgements giuen, and fines leuied of lands, &c. in the same Courts vpon writs originall thereof duely pursued and prosecuted. 32. H. 8. 7.

Recouery and conueyance in a temporall Court for Tythes.

Tythes and offrings shall be onely recouered in the Spirituall Court.

24 But this Act shall not giue any remedie, or cause of action or suit in the Courts Temporall, against any person which shall refuse to set out his Tythes, or which shall withhold, or refuse to pay his Tythes or Offerings, or any part thereof: But the party hauing cause to demaund the same, shall take his remedy for them in euery such case in the Spirituall Courts, according to the ordinance aforesaid. 32. H. 8. 7.

Setting forth or paying of predial tithes.

25 Euery of the Kings Subiects shall truely and iustly, without fraud or guile, diuide, set out, yeld, and pay all maner of their Prediall Tythes in their proper kind as they rise and happen, in such maner & forme, as hath bene of right yelded and paied within forty yeares, next before the making of this Act (being 4. Nouemb. An Dom. 1548.) or of right, or of custome ought to haue bene paied. And no person shal take, or carie away any such or like Tithes, which haue been yelded or paied within the said xl. yeares, or of right ought to haue bene paied in the place or places tythable of the same, before he hath iustly diuided or set forth for the Tithe thereof, the Tenth part of the same, or otherwise agreed for the same Tithes with the Parson, Vicar, or other Owner, Proprietarie, or Farmor of the same Tythes, vnder the paine of forfaiture of treble value of the Tythes so taken or caried away. 2. Ed. 6. 13.

The Parson may carrie away his tithe.

26 At all times whensoeuer the said predial Tythes shall be due at the tything time of the same, it shall be lawfull to euery party, to whom any of them ought to be paied, or his deputie, or seruant, to se their said Tythes to be truely set forth, and seuered from the ninth parts, and the same quietly to take and carrie away. 2. Ed. 6. 13.

Carrying the Corne or Hay before tythe be set forth, or letting the Parson to take his Tythes.

27 If any person carrie away his Corne, or Hay, or his other predial Tythes, before tythe thereof be set forth, or willingly withdraw his Tythes of the same, or of such other things whereof Predial Tythes ought to be paied: Or do stop, or let the Parson, Vicar, Proprietarie, Owner, or other their deputies, or farmors, to view, take, and carrie away their Tythes, as is aboue said, by reason whereof the said Tythe or Tenth is lost, impaired, or hurt: Then vpon due proofe thereof made before the Spirituall Iudge, or any other Iudge, to whom heretofore he might haue made complaint, the partie so carrying away, withdrawing, stopping, or letting, shall pay the double value of the Tenth or Tithe so taken, lost, withdrawen, or carried away, ouer and besides the costes, charges, and expences of the suit in the same: the same to be recouered before the Ecclesiasticall Iudge, according to the Kinges Ecclesiasticall Lawes. Anno 2. Ed. 6. 13.

The Tithe of Cattel feeding in any waste ground, whereof the parish is not knowen.

28 All and euery person, which hath, or shall haue any beasts, or other cattell tythable, going, depasturing, or feeding in any waste or common ground, whereof the Parish is not certainly knowne, shall pay his Tythes for the increase of the said Cattell so going in the said waste or common, to the Parson, Vicar, proprietary, porcionarie, owner, or other their farmors, or deputies, of the Parish, Hamlet, Towne, or other place where the owner of the said Cattell inhabiteth or dwelleth. 2. Ed. 6. 13.

The Tithe of barren, heath, or waste grou̅d.

29 All such barren heath, or waste ground (other then such as be discharged for the payment of Tythes by Act of Parliament) which before this time hath layen barren, and payed no Tythes, by reason of the same barrennes, and now be, or hereafter shall be improued, and conuerted into arrable ground, or meadow, shall after the end of vij. yeares next after such improuement fully ended & determined, pay Tythe for the Corne and Hay growing vpon the same. But if any such barren, waste, or heath ground hath before this time bene charged with the payment of any Tythes, and the same be after improued, & conuerted into arrable ground, or meadow: Then the Owner or Owners thereof shall during vij. yeares, next fol-

following from and after the same improuement, pay such kind of Tythe as was paied for the same before the said Improuement. 2. Ed. 6. 13.

Marchants and handy-craftesmen shall pay the Tenth part of their gaines.

30 Euery person exercising marchandizes, bargayning, and selling, clothing, handycraft, or other Art, or facultie, being such kind of persons, and in such places as heretofore within these vl. yeares haue accustomably vsed to pay such personall Tythes, or of right ought to pay (other then such as be common day Labozers) shall yearely, at, or before the feast of Easter, pay for his personall Tythes the Tenth part of his clere gaines (his charges & expences, according to his estate, condition, or degree, to be therein deducted.) But in all such places where handy-craftesmen haue vsed to pay their Tithes within these vl. yeares, the same custome of payment of Tythes shall be obserued and continue. 2. Ed. 6. 13.

The Ordinarie may examine him which refuseth to pay his personall Tithes.

31 If any person refuse to pay his personall Tythes in forme aforesaid: Then it shall be lawfull to the Ordinarie of the same Diocesse where the partie that so ought to pay the said Tythes is dwelling, to call the same partie before him, and by his discretion to examine him by all lawfull and reasonable meanes (other then by the parties owne corporall Oath) concerning the true payment of the said personall Tythes. 2. Ed. 6. 13.

Payment of Offerings.

32 All and euery person and persons, which by the Lawes and customes of this Realme ought to make, or pay their Offerings, shall yearely truely content and pay his or their Offerings to the Parson, Vicar, Proprietarie, or other Deputies or Farmors of the Parish or Parishes where he or they shall dwell or abide, at such foure Offering dayes, as at any time heretofore within the space of foure yeares last past (being 4. Nouemb. Añ Dom. 1548.) hath bin accustomed for the payment of the same. And in default thereof, to pay for the said Offrings at Easter then next following. 2. Ed. 6. 13.

Tythe of Fish.

33 This Act shall not extend to any Parish which stands vpon and toward the Sea coastes, the commodities & occupying whereof consisteth chiefely in Fishing, and haue by reason thereof vsed to satisfie thir Tythes by fish. But all & euery such Parish and Parishes shal pay their Tythes according to the laudable customes, as they haue heretofore of ancient time within this vl. yeres vsed & accustomed, & shall pay their Offerings as aforesaid. 2. E. 6. 13.

Suites for withholding of Tythes shall be in the Ecclesiasticall Court.

34 If any person do subtract or withdraw any Tythes, Obuentions, profits, or other duties before mentioned, or any part thereof, contrarie to the true meaning of this Act, or any other Act heretofore made: Then the party so subtracting, or withdrawing the same, may, or shall be conuented and sued in the Kings Ecclesiasticall Court, by the partie from whom the same shall be subtracted or withdrawen, to the intent the kings Judge Ecclesiasticall, shall and may then and there heare and determine the same, according to the kings Ecclesiasticall Lawes. And it shall not be lawfull vnto the Parson, Vicar, Proprietarie, Owner, or other their Farmors, or Deputies, contrarie to this Act, to conuent or sue such withholder of Tythes, Obuentions, or other duties aforesaid, before any other Judge then Ecclesiasticall. 2. Ed. 6. 13.

The offendor disobeying the Judges sentence, shall be excommunicate.

35 If any Archbishop, Bishop, Chauncellor, or other Judge Ecclesiasticall, giue any sentence in any of the foresaid causes of Tythes, obuentions, profites, emoluments, & other duties aforesaid (and no Appeal, ne Prohibition hanging) if the party condemned do not obey the said sentence: Then it shall be lawfull to euery such Judge Ecclesiasticall &c. to excommunicate the said partie, so as afore condemned, and disobeying, in the which sentence of Excommunication, if the said partie excommunicate wilfully stand & endure still excommunicate by the space of vl. dayes nert after, vpon denunciation & publication therof in the Parish Church of the place or Parish where the party so excommunicate is dwelling, or most abyding, the said Judge Ecclesiasticall may then at his pleasure signifie to the King

in his Court of Chauncerie, the state and condition of the said party so excommunicate, & thereupon require proces De Excommunicato capiendo, to be awarded against euery such person that hath bẽn so excommunicate. 2.Ed.6.13.

Excommunicato capiendo.

Of what things the Iudge Ecclesiasticall shall not hold plea.

36 This Act shall not giue any Minister, or Iudge Ecclesiasticall, any iurisdiction to hold plea of any matter, cause, or thing being contrarie or repugnant to the effect or meaning of the Statute of Westminster 2. cap. 5. the Statutes of Articuli Cleri, Circumspecte agatis, Silua cædua, the Treatise de Regia prohibitione, ne against the Statute of 1.E.3. 10. or any of them, ne yet to hold plea in any matter whereof the Kings Court of right ought to haue iurisdiction. 2.Ed.6. 13. See 38. 39. S. Prohibition 1.2.3.4.5.6.

London. Canterbury.

37 The foresaid Statute of 27.H.8. and 32. H.8. shall not extend to any Inhabitant of the Citie of London, & Suburbes of the same, for the payment of their Tythes and Offrings. Neither the Statute of 2.E. 6. shall extend to the Inhabitants of the Citie of London, and Canterbury, and the Suburbes of the same. Nor to any other Towne or place that hath vsed to pay their Tythes by their houses, otherwise then they ought, or should haue done before &c. 27. H. 8.20. 32. H.8.7. 2.Ed.6.13.

Wind Mill.

38 If any person do erect a new Mill in his ground, he shall pay Tythe for the same, Articuli Cleri. 9.E.2.5. S. Prohibition 6.

Silua cædua.

39 If a man do sell great Wood of the age of 21. yeares, or aboue, no Tythe shall be paied therefore. 45.Ed.3.5. S. Prohibition 5.

Certaine Abbey lands discharged of Tythes.

40 Euery person and persons, their heires and assignes, hauing any Monasteries, Priories, Nunries, Colledges, &c. or other Ecclesiasticall houses or places &c. or any Manors, Peasuages, Parsonages appropriat &c. or other hereditaments which belonged vnto the said Monasteries, Priories, &c. which were discharged, of, and for the payment of Tythes, being in the hands of the Abbots, Priors, &c. or other Ecclesiasticall Gouernors, shall haue and inioy euery of the said Monasteries, Priories, lands, tenements, & other hereditaments, according to their estates and titles, discharged of payment of Tythes, in as ample maner as any of the said Abbots, Priors, &c. or other Ecclesiasticall Gouernors held or enioyed the same at the dayes of their dissolution, or comming to the hands of King H. 8. of the same. 31.H.8.13.

Tythes of marriage goods in Wales.

41 No Tythes of Marryage goods shall be required of any person wythin Wales, or the Marches thereof. Neither shall any person be sued, or otherwise compelled to pay any maner of Tythes for any lands, tenements, or hereditaments, which by the Lawes and Statutes of this Realme, or by any priuiledge, or prescription, are not chargeable with the payment of any such Tythes, or that be discharged by any composition reall. 2.Ed.6.13.

Discharge of Tythes by prescription or composition.

Suit for Tithes by the name of goods caried away.

42 At what time any person of Holie Church be drawen in suit in a Seculer Court for his owne Tythes taken, by the name of goods carried away, and he which is drawen in suit maketh exception, or alleageth that the substance and suit of the cause is onely vpon Tythes due of right, and of possession to his Church, or to some other his benefice: In such case the generall auerrement shall not be receiued, without shewing specially how the same was his lay chattell. 2.R.2.14.

1 Where money for tithes is demaunded in a spirtuall Court, the Kings prohibition doth lie. S. Prohibition 1.

2 Where vpon suit of Tithes in an Ecclesiasticall Court, a Prohibition is graun-table, & where a Consultation. S. Prohibition. 10.S.5.H.4.11.

Toll.

IF any do take any outragious Toll, contrarie to the cuſtome of the Realme in a Market Towne, which is the kings Towne, and let to fée farme, the King ſhall ſeiſe the Franchiſe of the Market into his owne hand. And if it be an other Towne, and that be done by the Lord of the Towne, the King ſhal doe in like ſort. And if it be done by a Bailife, or any mean Officer without the commaundement of his Lord, he ſhall reſtore to the plaintife for his outragious taking, ſo much as he hath receiued of him, if he hath carried away the Toll, and ſhall be impriſoned fortie daye. Weſtm̃ 1. 3. E. 1. 30. Exceſſiue Toll taken in Cities or Townes.

2 Toll at Mill ſhall be taken according to the cuſtome of the Realme, and the ſtrength of the courſe of the water, as of the rr. corne, or the rriij. corne. And the meaſure whereby Toll ſhall be taken, ſhall agrée with the Kings meaſure, and it ſhall be taken by the ſtrikel, and not by heap. And if the Farmors do find to the Millers things neceſſarie for them, they ſhall take but their due Toll, and if they do otherwiſe, they ſhall be puniſhed. 3. E. 1. Stat. de Vitalarijs. Toll at Mill.

1 When, where, and of whom Toll for Horſes ſhall be taken in a Faire or Market. S. Faires &c. 5.

2 In what caſes it is not lawfull to take Toll of Fiſh brought into this Realme. S. Ships 2.

3 Aliens made Denizens, ſhall pay ſuch Tols, as they did before. S. Aliens 3.

Tongues, Eies.

IN ſuch caſe the offendors that ſhall cut the Tongues, or put out the Eyes of any of the Kings lyege people, and it be duely proued and found, that ſuch deed is done of malice prepenced, they ſhall incurre the paine of Felonie. 5. H. 4. 5.

Townes.

IF any perſon or perſons, or bodies politike, being owners or poſſeſſioners of any deſolate, or void grounds, that at any time within xlv. yeares next before the making of this Act (being the 16. of Ianuarije, Añ Dom. 1541.) haue bæn buylded for houſes, or habitation, or for any houſe or houſes of habitation, now, or hereafter being in decay, and not fully fallen downe, within the Liberties and precincts of any of the Borroughes, Townes, and places within the wals & liberties of the Citie of Canterbury, the Citie of Rocheſter, the borroughes & townes of Stamford, and great Grimſby in the Countie of Lincolne, the towne of Cambridge, in the Countie of Cambridge, the borough or towne of Darby, in the Countie of Darby, the borough or towne of Gilford in the Countie of Surrey, the Towne of Dunwich in the Countie of Suffolke, the borroughes or townes of Cinque Ports, with the members, the Towne of Lewes in the Countie of Suſſer, and the Towne of Buckingham, in the Countie of Buckingham, do not ſufficiently redifie, buyld, and repaire, or cauſe to be redified, buylded, and repaired, the ſaid deſolate and void grounds, and decayed houſes, conuenient for habitation and dwelling, within two yeares next after Proclamation made, in, or vpon the ſame void ground, or grounds, decayed houſe, or houſes, by the Maiors, Aldermen, and Burgeſſes, or other head Officers, within the precinct of their owne authorities: Then it ſhall be lawfull for the chiefe Lord or Lords immediate, of whom ſuch deſolate and void grounds, decayed, and ruinous houſes be holden, after the ſaid two yeares be expyred, to enter into the ſame, and to haue A prouiſion for the repaire of houſes in certain great Townes. The chiefe Lord enter.

the ſame grounds or houſes with the curtelage, backſide, and garden adioyning to the ſame (if they be of the inheritance of the owner or owners of the ſaid decayed houſe or ground, and exceed not one acre of ground) to them, and to their heires or ſucceſſors, or to their owne proper vſe for euer, ſo that the ſaid Lord or Lords immediate, entring by the authoritie of this Act, do ſufficiently redifie, buyld, or repaire the ſame void ground, or decayed houſes, within two yeares and a halfe next immediatly following the determination of the foreſaid firſt two yeares. 33.H.8.36.

2 And in caſe ſuch Lord or Lords as may enter by this Act, do not enter, and well and ſufficiently redifie, build, or repaire the ſame void grounds or decayed houſes within the ſaid two yeares and a halfe to them limitted by this Act, or if ſuch Lord or Lords immediate as may enter, do ſufficiently redifie, build, and repaire the ſame void grounds or decayed houſes within the ſaid two yeares and a halfe, to them limitted, and after they, their heires or ſucceſſors ſuffer the ſame houſes or void grounds to fall in ruyne and decay, and not build or redifie the ſame ſufficiently within two yeares and a halfe, after ſuch ruyne or decay: Then it ſhall be lawfull to all perſon or perſons, or bodies politike, as ſhall then haue any rent charge iointly or ſeuerally going out of the ſaid void ground or grounds, or decayed houſe or houſes in any of the ſaid Cities, Boroughes, Townes, or places, immediatly after the ſaid two yeares and a halfe expired, to enter into the ſame, and to haue to ſuch of them, their heires and ſucceſſors to their owne proper vſe, as ſhall ſo build the ſaid void grounds or decayed houſes by authoritie of this Act, the ſame void grounds or houſes with the curtelage, backſide, and garden adioyning to the ſame, if they be of the inheritance of the owner or owners of the ſaid decayed houſes or grounds, and exceed not in quantitie one acre of ground, diſcharged of all rents going out of the ſame grounds or houſes, aſwell againſt the ſaid Lord or Lords immediate, as all other perſon or perſons, or bodies politike, hauing any rent or rents charges, or rent ſecke out of the ſame, (other then the fee farme of the ſaid Citie, Borough, towne, or place, or ſome parcell thereof) ſo that the ſaid perſon or perſons, or bodies politike, hauing the ſaid rent charge, entring by the authoritie of this Act, do ſufficiently redifie, build, and repaire the ſame deſolate and void ground or grounds, or decayed houſe or houſes, within one yeare and three quarters next and immediatly following the determination of the ſaid two yeares and a halfe, to the ſaid Lord or Lords immediatly appointed by this Act. 33.H.8.36.

The entrie of them which haue rent charge.

3 And in caſe ſuch perſon or perſons, or bodies politike, hauing any of the ſaid rents charges, as may enter by this Act, do not enter, and well and ſufficiently redifie, build, or repaire the ſame void ground, or decayed houſes, within one yeare and three quarters to them appointed by vertue of this Act, or if they, or any of them, hauing ſuch rent charge, and that may enter by this Act, do ſufficiently build and repaire the ſame void ground or grounds, or decayed houſe or houſes, within the ſaid one yeare and three quarters to them limitted, and after, they, their heires or ſucceſſors ſuffer the ſame void ground or grounds, houſe or houſes, to fall in ruyne and decay, and do not build or redifie the ſame ſufficiently within one yeare and three quarters after ſuch ruine or decay: Then it ſhall be lawfull to the Maiors, Aldermen, and Burgeſſes, and other head Officers in the ſaid Cities, Boroughes, Townes, and places, by what name or names ſoeuer they be incorporated, and their ſucceſſors, and euery of them, within the limits of their authorities, immediatly after the ſaid yeare and three quarters expyred, into euery ſuch deſolate void grounds, decaied or ruinous houſes, to enter, and haue, hold, and enioy to them and their ſucceſſors for euer, to their owne vſes, the ſame grounds or houſes, and euery of them with the curtelages, gardens, and backſides

The entrie of the head officers of corporate townes.

backſides to the ſame, if they be of the inheritance of the owner or owners of the ſaid decaied houſe or ground, & exceed not in quantitie one acre of ground, clerely diſcharged of all rents going out of the ſame grounds or houſes, aſwell againſt the ſaid Lord or Lords immediat, as all other perſon or perſons, or bodies politike, hauing ſuch rent charge, or rent ſeck, as before is ſaid (other then the fee farme of the ſaid Citie, Borough, Towne, or place, or parcell thereof) So that the ſame Maiors, Aldermen, and Burgeſſes, or other head Officers, as is aforeſaid, or their ſucceſſors for the time being, do redifie, build, or repaire, or cauſe to be redified, builded, or repaired, the ſame ground or grounds, houſe or houſes, within three yeares next & immediatly following the determinationn of the ſaid yeare & three quarters, limitted or appointed to ſuch perſon or perſons, or bodies politike, that haue or ſhal haue any rent as is aforeſaid. Añ 33. H.8.36.

4 And in caſe the ſaid Maiors, Aldermen, and Burgeſſes or other head Officers, as is aforeſaid, or their ſucceſſors, do not enter, & redifie, build, & repaire the ſaid void ground or grounds, decaied houſe or houſes, in forme aforeſaid, within the ſaid terme of three yeares after their ſaid entrie, or if they ſufficiently redifie, build, and repaire the ſame void ground or grounds, or decaied houſe or houſes, within the ſaid three yeares to them limitted by this Act, and after they, or their ſucceſſors ſuffer the ſame houſe or houſes, void ground or grounds, to fall in ruine and decay, and doe not build and redifie the ſame ſufficiently within three yeares after ſuch ruine or decay: Then it ſhall be lawfull to the firſt owner or owners, poſſeſſor or poſſeſſors of ſuch void ground or grounds, decayed houſe or houſes, their heires or ſucceſſors, immediatly after the ſaid three yeares (to the ſaid Maiors, Aldermen, and Burgeſſes, or other head Offices, as is before limited) erpyred, into the ſame houſe, ground or grounds, curtelages, gardens, & backſides to enter, and the ſame to reteine to them their heires and ſucceſſors, as in their firſt eſtate. 33. H.8.36. *The firſt owners entrie.*

5 But this Act ſhall not be preiudiciall to any perſon or perſons being at the time of the ſaid Proclamation made, vnder the age of xxj. yeares, or being Feme couert, or in pryſon, or beyond the Sea in the Kings warres, or in his other lawfull affaires, or to any perſon or perſons not being then of whole and perfect memory, during the time that ſuch perſon or perſons ſhall be within age, maryed, in pryſon, or of no perfect memory, or beyond the Sea, ſo that the ſame perſon or perſons, their heires or ſucceſſors, after that he or they come vnto their full age of xxj. yeares, or be vnmarried, out of pryſon, or come againe within this Realme, or be of whole and perfect memory, within three yeares then next enſuing do reedifie the ſame deſolate or void grounds, or repaire the ſaid decaied houſes. Añ 33. H.8.36. *Infants, feme couert, out of the Realme, in pryſon, lunatike perſons right reſerued*

6 Añ 35. H.8. 4. a like Act was made in euery reſpect, with like proviſion of ſauing for the repairing of the Towne of Shrewſbury in the County of Salop, the Citie of Cheſter in the Countie of Cheſter, the Towne of Ludlow in the Countie of Salop, Hauerford Weſt in the Countie of Hauerford in South Wales, the Towne of Pembroke, Tembie in the Countie of Pembroke, the Towne of Karmerdein in the Countie of Karmerdein, the Towne of Mountgomery in the Countie of Mountgomery, Cardiffe, Swanelſe, Cowbridge, New Radnor & Prelleud in the Countie of Radnor, the towne of Brecknocke in the Countie of Brecknocke, and the towne of Monmouth in the Countie of Monmouth, the towne of Maldon in the Countie of Eſſex, the towne Abargauenny, Uſke, Carlion, and Newport in the County of Monmouth, the townes of Lancaſter, Preſton, Lerepoole, & Wigam in the County Palantine of Lancaſter.

7 Añ 32. H. 8. 16. an Act was made for the repaire of houſes of habitation within the walles and liberties of the Cities, Borroughs, & townes of Yorke, Lincolne,

Lincolne, Canterburie, Couentrie, Bathe, Chichester, Salisburie, Winchester, Bristow, Scarburgh, Yerford, Colchester, Rochester, Portesmouth, Poole, Lin, Feuersham, Worcester, Stafford, Buckingham, Pomfret, Grantham, Exceter, Ipswich, Southhampton, great Yarmouth, Orford, great Wickham, Gilford, Estretford, Kingston vpon Hull, Newcastle vpon Tine, Beuerley, Bedford, Leicester, and Barwike. And Añ 32. H. 8. 19. a like Act is made concerning the repairing of the Boroughes & Townes of Shaston, Sherborne, Britport, Dorcester, and Weymouth in the Countie of Dorset, and the Boroughes and Townes of Plimmouth, Plimpton, Barstable, Tauestocke, and Dartmouth, within the Countie of Deuonshire, and the Boroughes and townes of Launceston, Liscard, Lestuthill, Bodman, Turine, and Helston, within the Countie of Cornewall, and the Boroughes and Townes of Bridgewater, Taunton, Somerton, and Ilchester, within the Countie of Somerset, and the Borough of Maldon in the Countie of Eſſex, and also the Borough and shire towne of Warwike in the Countie of Warwike. By which Acts it was prouided, that if any persons &c. or body politike, being owners or possessioners of any void grounds that haue bæn at any time within xxv. yeares immediatly past before 12. Aprilis, Anno 31. H. 8. and Anno Do. 1541. builded for houses of habitations, now, or hereafter being in decay, and not fully fallen downe, within the Liberties or precincts of any of the said Cities, Boroughes, or Townes, do not sufficiently rædyfie, buyld, and repaire, or cause to be rædyfied &c. the said void grounds or decayed houses conuenient for habitation &c. within three yeares nert after Proclamation thereof to be made, in, or vpon the same grounds &c. by the Maiors, &c. or other Officers of euerie of the said Cities, Townes &c. Then it shall be lawfull to the Lords of whom such grounds, houses &c. be holden, after the said three yeares expired, to enter into the same, and to haue the same &c. to them and to their heires or successors, to their owne vse for euer, so that the said Lords so entring do sufficiently rædyfie the same houses, grounds, &c. within two yeares nert following the determination of the said three yeares. And in case such Lord do not enter and sufficiently rædyfie the same grounds &c. within the said two yeares: Then it shall be lawfull to all such persons, or bodies politike &c. as shall then haue any rent charge going seuerally out of any of the said grounds or houses &c. immediatly after the said two yeares expired to enter into the same, & to haue the same to them, their heires &c. for euer, so that the said persons, or bodies politike &c. do sufficiently rædifie the same grounds within one yeare nert following the determination of the said two yeares: And in case such persons, or bodies politike &c. hauing the said rent charges &c. do not enter, sufficiently rædifie &c. the same grounds &c. within the said one yeare &c. Then it shall be lawfull to the Maiors, Sherifes, Bailifes, or Comminaltie, or other head Officers of the said cities, boroughes, &c. or their successors &c. immediatly after the said yeare expired, into euery such grounds, houses, &c. to enter, and the same to enioy &c. to them and their successors for euer, clærely discharged of all rent going out of the same grounds or houses, aswell against the said Lord, as all persons, or bodies politike, hauing any such rent, so that the said Maiors, &c. or their successors &c. do rædifie &c. the same grounds, houses, &c. within three yeares immediatly following the determination of the said yeare &c. And in case the said Maiors &c. or their successors do not enter and rædifie &c. within the said terme of three yeares &c. Then it shall be lawfull to the first owners, possessioners &c. of such void grounds, or decaied houses &c. their heires or successors immediatly after the said three yeares expyred, into the same grounds, or houses &c. to rænter, and the same to reteine to them, their heires and successors, as in their first estate. In which Statutes there be seuerall Prouisoes &c. that the said Acts

shall

ſhall not be preiudiciall to any perſons being at the time of the ſaid proclamation made, vnder the age of one and twentie yeares, to any woman being married, to any perſon being in pryſon, or beyond the Sea in the kings warres, or in his other lawfull affaires, during ſuch time &c. So that the ſame perſon do within three yeres next enſuing (that ſame imperfection remoued) rædifie &c. the ſame grounds, houſes, &c. as is aboue ſaid &c.

8 Anñ 27. H. 8. 1. It was enacted, that if any owner or owners of any void and decaied houſes, or grounds, within the precinct of the Townes of Notingham, Shrewſbury, Ludlow, Glouceſter, Bridgenorth, Quinborough, and Northhampton, within three yeares next after Proclamation thereof to be made by the Maiors, Shiriſes, & Bailifes of any of the ſaid Townes, in or vpon any ſuch vacant or decaied houſes or grounds, do not enter, and ſufficiently rædifie the ſame houſes, grounds, &c. Then it ſhall be lawfull to the Lord of whom ſuch grounds &c. ſhall be holden, to enter immediatly after the ſaid three yeares expired, and to haue the ſame to him, his heires & ſucceſſors for euer, ſo that the ſaid Lord do ſufficiently rædifie the ſame within three yeres next & immediatly following the determination of the former three yeares. And if ſuch Lord do not enter & ſufficiently rædifie the ſame within the ſaid three yeares: Then it ſhall be lawfull to the ſaid Maiors, Shiriſes, Bailifes, &c. and their ſucceſſors after the ſaid three yeres expired, to enter into euery ſuch grounds, or houſes, & the ſame to reteine to them and their ſucceſſors for euer, diſcharged of all rents going out of the ſame, ſo that the ſame Maiors &c. or their ſucceſſors do ſufficiently rædifie the ſame grounds &c. within three yeres next following the determination of the former three yeares. And in caſe the ſaid Maiors &c. and their ſucceſſors, do not enter, and ſuffuciently rædifie the ſame decaied houſes or grounds in forme aforeſaid, within the ſaid terme of three yeares: Then it ſhall be lawfull to the firſt owners of ſuch decaied ground, their heires or ſucceſſors immediatly after the ſame three yeares expired, into the ſame &c. to reenter, & them to reteine to them, their heires and ſucceſſors, as in their firſt eſtate. In which Act there is a Prouiſo for euery perſon being, at the time of the Proclamation made, vnder age, a woman couert, in pryſon, beyond the Sea &c. vt ſupra.

1 He that dwelleth in the Countrey ſhall not ſell wares in Corporat or Market townes by retaile. S. Merchandiſe, 11. 12.

2 Cloth to be put to ſale, ſhall not be wrought but in Market townes. S. Draperie 81.

3 See for Norwich & Lynne 26. H. 8. 8. 9.

Trauerſe.

WHere lands or tenements be ſeiſed into the Kings hands by office of the Eſcheator, conteining that the kings Tenant made alienation thereof without the Kings licence, or that the kings tenant by knights ſeruice dyed ſeiſed of lands or tenements in his demeſne as of fee, and his heire within age, and after the cauſe certified into the Chauncerie, he whoſe lands be ſeiſed come into the Chancerie, and will trauerſe the office taken by the kings commaundement, that the ſame lands were not to haue been ſeiſed, he ſhall be thereunto receiued: And the proces ſhall be ſent into the Kings Bench to trie, and further to doe right. Anñ 34. Ed. 3. 14. Trauerſe vpon alienation or death found

2 Where one perſon or more is, or ſhall be found heire to the kings tenant, by office or inquiſition, where any other perſon is or ſhall be heire: Or if one perſon or more is, or ſhall be found heire by office in one Countie, and an other is, or ſhall be found heire to the ſame perſon in an other Countie: Or if any perſon is, or Trauerſe to an office found after the death of the Kings tenant.

or ſhall be vntruely found Lunatike, Ideot, or dead: Euery perſon or perſons grieued by any ſuch office or inquiſition, ſhall and may haue his or their Trauers to the ſame, immediatly or after, at his or their pleaſure, & proceed to triall therein, and haue like remedy and aduantage, as in other caſes of Trauerſe vpon vntrue offices found: Any law, cuſtome, &c. notwithſtanding. 2. Ed. 6. 8.

Trauerſe to an office found vpon attainder of felony &c.

3 Where it is, or ſhall be vntruely found by Office or Inquiſition, that any perſon attainted, or that ſhall be attainted, of Treaſon, Felonie, or Præmunire, is, or ſhall be ſeiſed of any lands, tenements, or hereditaments at the time of ſuch offence committed, or at any time after, wherunto any other perſon or perſons ſhall haue any iuſt title or intereſt of any eſtate of Freehold: Then euery perſon grieued thereby, ſhal haue his Trauerſe, or Monſtrance de droit to the ſame, without being driuen to any Petition of right. And like remedy & reſtitution vpon his title found or iudged for him therin, as hath bẽn vſed in other caſes of Trauerſe, although the King ſhall be in ſuch caſe intituled to any ſuch lands by double matter of record: Any law, cuſtome, &c. notwithſtanding. 2. Ed. 6. 8.

Trauerſe where the K. is intituled to a tenure wher none is.

4 Where it ſhall be found by office or inquiſition, that any lands, &c. ſhall be diſcended, remained, or come to any heire within age, and in the kings ward, or that ought to be in the kings ward, and that ſuch lands are holden of the King immediatly, where in dede the ſame are holden of ſome other common perſon, and not of the King immediately: In ſuch caſe ſuch heire or heires ſhall and may haue his or their Trauerſe to the ſame within age, and like remedie and reſtitution vpon his or their title found or iudged for him or them therein, as hath bin vſed in other caſes of trauerſe: any law, cuſtome, &c. notwithſtanding. 2. Edw. 6. 8.

Vpon a trauerſe a Scire facias ſhall be awarded againſt the K. patentées.

5 In all ſuch caſes as any perſon ſhall be enabled by this Act to haue any trauerſe, and ſhall purſue his trauerſe: Then he that ſhall purſue ſuch trauerſe, ſhall ſue one writ, or ſeuerall writs of (Scire facias) as the caſe ſhall require, againſt all and ſinguler ſuch perſon and perſons as ſhall haue intereſt by the King, or by his Patentée or Patentées, in like maner and forme as is requiſite vpon Trauerſes or Petitions heretofore purſued. And in euery ſuch Scire facias, the Patentées or other defendants ſhall haue like plées & aduantage, as they had in any Scire facias before this time awarded againſt any Patentée in any caſe of Petition. And alſo vpon euerie Trauerſe that ſhall be purſued by vertue of this Act, in ſuch caſe as the party that ſhall purſue ſuch trauerſe, ſhould by order of the Common Laws haue bin put to ſue by Petition to the King, there ſhall be two writs of Search graunted in maner and forme, as like writs haue bẽn graunted vpon Petitions made to the King. 2. Ed. 6. 8. Where foure writs of Search ſhall be graunted. S. Aide of the king 3.

writs of ſearch vpon a trauerſe.

The Kings former right reſerued.

6 Alſo after any Iudgement ſhall be giuen vpon any Trauerſe that ſhal be tendered or ſued by vertue of this Act, it ſhall appeare by any matter of record, that the King hath any former title, right, or intereſt to the lands &c. mentioned in the ſame trauerſe, Then the ſame title, right, and intereſt ſhall be ſaued to him, the ſaid trauerſe, and Iudgement thereupon giuen notwithſtanding. 2. Ed. 6. 8. S. Offices, Liueries.

1 Where he that is indicted or appealed of Treaſon ſhall be receiued to trauerſe the ſame. S. Treaſon 11.

2 Trauerſe to an office whereby lands ſhall be found to be fraudulently conueied by any of the Q. accomptants. S. Accomptants &c. 38.

3 Where lands ſhall be letten to farme to him that tendreth a trauerſe. S. Patents. 26.

4 For the triall of a trauerſe certified of a Riot. S. Riots 3.

Trea-

Treaſon.

IT is high Treaſon to compaſſe or imagine the death of the King, the Quéene his wife, or of their eldeſt Sonne and heire: Or to deflower the Kings wife, the kings eldeſt Daugter being vnmaried, or the kings eldeſt ſonne and heires Wife: To leuie warre againſt the King, Quéene, &c. in his Realme: Or to be adherent to his Enemies, ayding them in his Realme, or elſewhere: Or to counterfait the Kings great Seale, his priuie ſeale, or his money: Or to bring falſe money into this Realme, counterfait like vnto the money of England, knowing the money to be falſe, & to make merchandize, or payment therewith: Or to ſlea the kings Chauncellor, Treaſorer, Juſtice of the one Bench or other, Juſtice in eyre, Juſtice of aſſiſe, or any Juſtice aſſigned to heare and determine, being in his place doing his office: Which forſaid Treaſons do extend to the King, and his royall Maieſtie. And the King ſhall haue the forfaiture of the eſcheat of them, aſwell of lands and tenements holden of others, as of himſelfe. 25.Ed.3.2.

Compaſſing the Kings death.

Leuying war, and aiding of the Kings enemies.

Counterfeiting the great or priuie ſeale.

Bringing in of counterfeit money.

Killing a Iudge ſitting in his place.

2 If any perſon do falſely forge or counterfait the Quéenes ſigne manuell, priuie Signet, or priuie Seale: Or do falſely forge or counterfait any coine of Gold or Siluer which is not the proper coine of this Realme, and is or ſhall be currant within this Realme, by the conſent of the Quéene, her heires or ſucceſſors, it is high Treaſon, and the offenders therein, their counſellers, ayders, procurers, and abbetters, being conuict according to the Law, ſhall be adiudged Traitors. 1.M.6.

Forging the ſigne manuell, priuie ſignet, or ſeale.

Forging the money of other realmes currant in this.

3 Whoſoeuer doth bring into this Realme, or any the Dominions thereof, from any parts beyond the Sea, any falſe and counterfait Coine or Money like to the coine of other Realmes, being by the Quéenes permiſſion currant in payment within this Realme, knowing theſame to be falſe and Counterfeyt, to the intent to vtter or make payment therewith within this Realme &c. by merchandizing, or otherwiſe, he, his counſailers, procurers, aiders, and abbetters, do commit high Treaſon. 1.& 2.P.& M.11.

Bringing in of counterfeyt money.

4 If any perſon or perſons ſhall falſely forge or counterfeit any kind of gold or ſiluer, as is not the proper coine of this Realme, nor permitted to be currant in this Realme, it is Miſpriſion of high Treaſon, & the offenders therein, their procurers, aiders, and abbetters, being conuict &c. ſhall be impriſoned, and forfait ſuch lands, goods, and cattels, as in caſes of Miſpriſion of Treaſon, for concealment of high Treaſon. 14.Eliz.3.

Forging of money, which neither is the mony, nor currant within this realme.

5 The clipping, waſhing, rounding, or fyling for gaines ſake of any Money or Coine, which now is, or hereafter ſhall be the coine of this Realme, or the Dominions thereof, or of any other Reaime &c. allowed & ſuffered to be currant within this realme, by the Quéene, her heires or ſucceſſors, is treaſon. And the offenders, their counſellers, conſenters, & aiders, ſhal be adiudged as offenders in Treaſon. But the attainder in this Treaſon maketh no corruption of blod in the heire, or forfaiture of dower in his wife. 5.Eliz.11.

Clipping, waſhing, rounding, or filing of money.

6 If any perſon for wicked lucre ſake, do by any act, waies, or meanes whatſoeuer, impaire, diminiſh, falſifie, ſkale, or lighten the proper moneyes or coines of this Realme, or any the dominions thereof, or the moneyes &c. of any other Realmes allowed at the time of the offence committed to be currant within England, or any dominions thereof, by the Proclamation of the Quéene, her heires or ſucceſſors, he, his counſellers, aiders, and conſenters ſhal be adiudged offendors in Treaſon, & being thereof conuicted or attainted, according to the Laws, ſhall ſuffer death, and loſe and forfeit all his goods & cattels to the Quéene, and his lands, &c.

Diminiſhing, ſkaling, or lightning of money.

during

during his life onely. But the attainder for his offence, maketh no corruption of bloud, nor the wife to loſe her dower. 18. El. 1.

Petit Treaſon. 7 It is petit Treaſon when a ſeruant killeth his Maſter, a woman killeth her huſband, or when a ſecular or Religious man killeth his prelate, to whom he oweth obedience. And this manner of treaſon doth giue the forf. of the eſcheates to euery Lord of his owne proper fee, 25. Ed. 3. 2.

Miſprision of Treaſon. 8 Concealement or keeping ſecret of any high Treaſon, ſhal be deemed & taken onely miſprision of Treaſon, and the offendors therein ſhall forfeit and ſuffer as in caſe of miſprision of Treaſon hath heretofore been vſed. 5. Ed. 6. 11. 1. & 2. Ph. & M. 18. 1. Eliz. 6.

Trial of treaſon & murders by ſpeciall Commiſſion. 9 If any perſon being examined before the Kings Counſell, or three of them, vpon any Treaſons, miſprisions of Treaſons, or murders, do confeſſe any ſuch offences, or that the ſaid Counſell, or three of them, vpon ſuch examination, ſhall thinke any perſon ſo examined to be vehemently ſuſpected of any ſuch offences: Then the Kings commiſſion of Oyer and Terminer vnder the great ſeale ſhall be made to ſuch perſons, and into ſuch Shires or places, as ſhall be appointed by his Highneſſe for the ſpeedie triall, conuiction, or deliuerance of ſuch offendors, which Commiſſioners ſhall haue authority to inquire, heare, & determine all ſuch treaſons, miſprisions of treaſons, and murders, within the ſhire and places limitted by their Commiſſion, by ſuch good & lawful perſons, as ſhal be returned before them by the Sheriffe, his miniſter, or other hauing power to returne writs & proces for that purpoſe, in whatſoeuer other ſhire or place within the Kings dominions, or without, ſuch offences were committed. 33. H. 8. 23. What challenges the offendor in this caſe ſhall haue. S. Challenge 8. S. Dyer 286. that for Treaſon this Statute is repealed by 1. & 2. Ph. M. 10.

Trial of treaſons committed out of the Realme. 10 All offences being made or declared to be made &c. treaſons, miſprisions of treaſons, or concealements of Treaſons, and done or committed by any perſon out of this Realme of England, ſhall be inquired of, heard, and determined before the Juſtices of the K. Bench, by good and lawfull men of the ſame Shire where the ſaid Bench ſhall ſit and be kept, or els before ſuch Commiſſioners, and in ſuch Shire of the Realme, as ſhall be aſſigned by the K. Commiſſion, and by good and lawfull men of the ſame ſhire, in like manner, to all intents, as if ſuch offences had been committed within the ſame ſhire where they ſhall be ſo inquired of, heard and determined. 26. H. 8. 13. 35. H. 8. 2 5. Ed. 6. 11. S. Dyer 287. 298. that the ſtatute of 35. H. 8. remaineth in force not repealed.

Outlawrie of an offendor being out of the Realme. 11 All proces of outlawrie to be made within this realme, againſt any offendors in treaſon, being reſiant out of this Realme, or beyond the Sea, at the time of the outlawrie pronounced againſt them, ſhall be as good & effectuall in the law to all intents, as if any ſuch offendors had been reſiant within this realme at the time of ſuch proces awarded, and outlawrie pronounced. But if the party ſo outlawed ſhall within one yeare next after the ſaid outlawrie pronounced, or iudgement giuen thereupon, yeld himſelfe vnto the chiefe Juſtice of England for the time being, and offer to trauerſe the ſaid indictment, or appeale, wherupon the ſaid outlawrie ſhall be pronounced, then he ſhall be receiued to the ſaid trauerſe, and being thereupon found not guiltie by the verdict of xij. men, he ſhall be clearely diſcharged of the ſaid outlawrie, and of all penalties & forfeitures, by reaſon of the ſame, in as ample maner, as though no ſuch outlawrie had bin made. 26. H. 8. 13. 5. Ed. 6 11.

Trial of treaſons committed, where the Kings writ runneth not. 12 All ſuch treaſons and miſprisions of treaſons, which any perſon ſhall commit within the principalitie of Wales, and Marches of the ſame, or elſewhere, within any the Kings dominions, where his originall writs in the Chauncerie of England commonly run not, ſhall be preſented and tried by the oath of xij. men, which

which ſhall inhabite within any ſuch Shires, and before ſuch Commiſſioners, as the King from time to time in ſuch caſes ſhall aſſigne by his Commiſſion or Commiſſions of Oier and Terminer, in like maner, as if ſuch offences had bēn committed within the ſaid Shires, into the which the ſaid Commiſſions ſhall be directed. And all preſentments, trials, proces, iudgements, executions, & forfeitures made, had, or done by vertue of ſuch Commiſſions, ſhall be good and effectuall in the Law, to all purpoſes &c. 32.H.8.4.

13 All trials to be had, awarded, or made for any Treaſon, ſhall be had & vſed onely, according to the due order & courſe of the Common Lawes of this Realme, and not otherwiſe. 1.& 2.Ph.& M.10. Quære if this do take away, or diminiſh the force of any of the other Braunches, viz. 9. 10. 11. 12. Triall of Treaſon. Quære.

14 If any perſon or perſons ſhall be attainted of high Treaſon by the courſe of the Common Lawes, or Statutes of this Realme, in euery ſuch caſe euery ſuch attainder by the Common Law, ſhall be of as good ſtrength, value, force, & effect, as if it had bēn done by authoritie of Parliament. And the King, his heires and ſucceſſors, ſhall haue as much aduantage by ſuch attainder, aſwell of vſes, rights, entries, conditions, and poſſeſſions, reuerſions, remainders, and all other things, as if it had bēn done & declared by authoritie of Parliament, and ſhall be deēmed and adiudged in actuall & reall poſſeſſion of the lands, tenements, hereditaments, vſes, goods, chattels, and all other things of the offenders ſo attainted, which his Highneſſe ought lawfully to haue, & which they ſo being attainted, ought or might lawfully loſe & forfeit, if the attainder had bēn done by authoritie of Parliament, without any office or Inquiſition to be found of the ſame: any Law, Statute, &c. notwithſtanding. Sauing to all & euery perſon & perſons, and bodies politique, & their heires, aſſignes, & ſucceſſors, & euery of them (other then ſuch perſon and perſons, which ſhall be attainted of high Treaſon, & their heires & aſſignes, and euery of them, and all & euery other perſon & perſons, clayming by them, or any of them, or to their vſes, or to the vſes of any of them, after the ſaid Treaſons committed) all ſuch right, title, vſe, poſſeſſion, entrie, reuerſions, remainders, intereſts, conditions, fées, offices, rents, annuities, commons, leaſes, and all other commodities, profits, & hereditaments, whatſoeuer they, or any of them, ſhould, might, or ought to haue had, if this Act had neuer bēn made. Añ 33.H.8.20. Attainder of Treaſon by the common Law, of as great ſtrength as by Parliament.

15 No record of attainder that now is, of any perſon or perſons, of, or for any high Treaſon, where the party ſo attainted, is, or hath bēn executed for the ſame Treaſon, ſhall by the heire or heires of any ſuch perſon, or by any other whatſoeuer, clayming in, from, by, or vnder any ſuch heire or heires, be in any wiſe hereafter reuerſed, vndone, auoyded, or impeached by any plea, or for any error whatſoeuer. But this Act ſhall not extend to any Record of attainder, of, or for any Treaſon, vpon which any writ of Error is now depending, or which Record is already reuerſed, repealed, or vndone, by, or for any error, matter, plea, or cauſe whatſoeuer, but the ſame ſhall be and remaine as vnto, and againſt that party, at whoſe ſuit the ſame writ of Error is depending, or at whoſe purſuit the ſame Record hath bēn reuerſed, repealed, or vndone, and his & their heires & aſſignes only, as if this Act had neuer bēn had or made: Any thing in this Act &c. 29.Eliz.2. No Record of attainder of Treaſon reuerſed, where the party attainted is executed for the ſame. Where the record is reuerſed, or therupō a writ of Error depending.

1 Treaſon for the ſecond refuſall of the Oath for the Queenes ſupreame gouernment ouer all eſtates. S. Crowne &c. 8.

2 Treaſon in maintaining or exolling the authoritie of the Biſhop, or See of Rome. S. Rome 1.

3 Treaſon in obtayning any Bull or Inſtrument from Rome, or in giuing or taking Abſolution thereby. S.Rome 2. Præmunire 5.

4 For the forfeitures in High Treaſon. S. Forfeiture 2.

5 That peremptorie challenge is not allowable in caſes of high Treaſon, and Miſpriſion. S. Challenge 10. 11.

6 Miſpriſion of high Treaſon in concealing of a Bull, or other Inſtrument from Rome, or abſolution offered. S. Rome 4.

7 Treaſon for perſwading, or reconciling, or being reconciled to the Romiſh Religion. S. Rome 7.8. Recuſants 49.

8 Treaſon for a Ieſuite, or Prieſt, &c. to come into, or remaine in any of the Qu. Dominions. S. Ieſuits 2.

9 Treaſon by remayning in a Seminarie, and not returning after Proclamation, and taking the Oath. S. Ieſuits 4.

10 Aſſurances made by Traitors, ſhall be recorded in the Exchequer. S. 18. Elizabeth. 4. 29. Elizab. 3.

Treſpas.

The puniſhment for ſmal offences.

ALl and euery ſuch lewd perſon and perſons, which ſhall cut, or vnlawfully take away any Corne, or Graine growing, or rob any Orchards, or gardens, or breake, or cut any hedge, pales, railes, or fence: Or dig, pull vp, or take vp any fruit tree or trees in any Orchard, Garden, or elſewhere, to the intent to take and carry the ſame away, or ſhall cut, or ſpoyle any Woods, or Vnderwoods, Poles, or Trees ſtanding, not being Felonie by the Lawes of this Realme, and their procurer, or procurers, receiuer, or receiuers, knowing the ſame, being thereof lawfully conuicted, by the confeſſion of the party, or by the teſtimonie of one ſufficient witneſſe, vpon Oath before ſome one Juſtice of Peace, Maior, Baylife, or other head Officers (which ſhall haue power by force of this Statute, to miniſter the ſaid Oath where the offence ſhall be committed, or the partie offending apprehended) ſhall giue the partie and parties ſuch recompence and ſatisfaction for his and their dammages, and within ſuch time, as by any one ſuch Juſtice of Peace of the ſaid Countie where ſuch offence ſhall be done, without the Libertie of any Citie, or Towne corporate, or by ſuch Officer, or Juſtice of Peace, within any Citie, or Towne corporate, ſhall be ordered and appointed. And the ſame to be only for the firſt fault. And if ſuch offendor or offendors ſhall be thought in the diſcretion of the ſaid Juſtice, or Juſtices, or other head Officers, not able, or ſufficient, or doe not make recompence or ſatisfaction for the ſaid dammages, in maner and forme aforeſaid: Then the ſaid Juſtice or head Officer ſhall commit all and euery the ſaid offendor or offendors to ſome Conſtable, or Conſtables, or other inferiour Officers of the Citie, Borough, Towne, or Hamlet where the offence ſhall be committed, or the partis apprehended to be whipped, & for euery ſuch offence, for, or of which the offendor or offendors ſhall be eftſoones committed in forme afore limitted, the perſon & perſons ſo offending, to receiue the ſaid puniſhment of whipping. 43. Eliz. 7.

A Conſtable refuſing to puniſh an offendor.

2 If any Conſtable, or inferiour Officer, do refuſe, or do not at the commaundement of any Juſt. of Peace, or other head Officer, execute by himſelfe, or ſome other, to be by him appointed, vpon the offendor, the puniſhment limitted by this Statute: In that caſe it ſhall & may be lawfull for the ſaid Juſt. of P. to commit the Conſtable, or other inferiour Officer ſo refuſing, or not executing the ſaid puniſhment by himſelfe, or ſome other, to the Gaole of the County, Citie, or Towne corporat, there to remaine without baile, or mainprize, vntill the ſaid offendor or offendors be by the ſaid Conſtable or Conſtables ſo refuſing, or not executing, or by ſome other by his or their procurement puniſhed and whipped, as is before limitted. 43. Eliz. 7.

3 No Iuſtice of Peace, or other head Officer, ſhall execute this Statute, for any of the offences aforeſaid, done to himſelfe, vnleſſe he be aſſociated and aſſiſted with one, or more other Iuſtices of Peace, whom the offence doth not concerne. 43. Eliz. ab. 7. None ſhall punish an offence done to himſelfe.

Triall.

WHere any perſon ſhall be felonioufly ſtriken or poyſoned in one Countie, and dyeth of the ſame ſtroke or poyſoning in any other Countie, then an Indictment thereof found by Iurors of the Countie where the death ſhall happen, (whether it be found before the Coroner, vpon the ſight of ſuch dead bodie, or before the Iuſtices of Peace, or other Iuſtices or Commiſſioners, which ſhall haue authority to inquire of ſuch offences) ſhal be as good in law, as if the ſtroke or poyſoning had been committed in the ſame County, where the party ſhall die, or where ſuch Indictment ſhal be ſo found. And the Iuſtices of Gaole deliuerie, & Oyer and Terminer in the ſame Countie where ſuch Indictment ſhal be taken, and alſo the Iuſtices of the K. Bench after ſuch Indictment ſhal be remoued before them, ſhall and may proceed vpon the ſame in all points, as they ſhould or ought to do, in caſe ſuch felonious ſtroke or poyſoning, & death thereof inſuing, had growne all in one ſame County. And ſuch party to whom Appeal of Murder ſhall be giuen by the Law, may commence, take, and ſue appeal of Murder in the ſame Countie where the party ſo felonioufly ſtriken, or poyſoned, ſhall die, aſwell againſt the principall & principals, as againſt euery accellarie to the ſame offences, in whatſoeuer Countie or place the accellarie ſhal be guiltie to the ſame. And the Iuſtices before whom any ſuch Appeal ſhal be commenced, ſued, & taken, within the yeare & day after ſuch Murder & manſlaughter committed, ſhall proceed againſt euery ſuch accellarie in the ſame Countie where ſuch appeal ſhall be ſo taken, in like maner & forme, as if the ſame offence of accellarie had been committed in the ſame Countie where ſuch appeal ſhall be ſo taken, aſwell concerning the triall by the Iurors of the Countie where ſuch appeal ſhall be taken, vpon the plea of not guilty pleaded by ſuch offendor, as otherwiſe. Añ 2. Ed. 6. 24.

Triall where the ſtriking or poyſoning is in one Countie, and death in an other.

Appeal of Murder in the Countie where the death inſueth.

Appeal againſt the accellarie.

2 Where any Murder or Felony ſhal be committed in one Countie, & an other perſon, or moe ſhall be accellarie to the ſame in any other Countie, then an Indictment found or taken againſt ſuch accellarie, & accellaries, vpon the circumſtance of ſuch matter (before the Iuſtices of the Peace, or other Iuſtices, or Commiſſioners, to inquire of Felonies in the Countie where ſuch offences of accellarie ſhall be committed) ſhall be as good in the law, as if the ſaid principall offence had been committed within the ſame Countie, where the ſame Indictment againſt ſuch accellarie ſ[illegible]ll be found. And the Iuſtices of Gaole deliuerie, or Oyer & terminer, or two of them, of, or in ſuch Countie, where the offence of any ſuch accellarie ſhall be committed or done (vpon ſuit to them made) ſhall write to the Cuſtos Rotulorum, or keepers of the Records, where ſuch principall ſhall be attainted, or conuict, to certifie them, whether ſuch principall be attainted, or conuicted, or otherwiſe diſcharged of ſuch principall Felonie, who vpon ſuch writing ſhall make ſufficient Certificat in writing vnder their ſeale or ſeales to the ſaid Iuſtices, whether ſuch principall be attainted, conuicted, or otherwiſe diſcharged, or not. And after that they do certifie, that ſuch principall is attainted, conuicted, or otherwiſe diſcharged of ſuch offence: then the ſaid Iuſtices &c. ſhall proceed vpon euery ſuch accellarie, in the Countie where he became accellarie, in ſuch maner and forme, as if both the ſaid principall offence and accellarie had been committed in the ſaid County where the offence of accellarie was committed, and euery ſuch accellarie, & other offendors, aboue expreſſed, ſhall anſwere vpon their arraignements, and receiue ſuch

Triall of an accellarie in one Countie, to an offence done in an other.

triall, iudgement, order, and execution, and suffer such forfeitures, as is vsed in other cases of Felonie. An 2.Ed.6.24.

Triall of forraine pleas.

3 All forreine pleas triable by the Countrey, pleaded by any person arraigned vpon any Indictment, for any Petit Treason, Felonie, or Murder, shall be forthwith tried by the same Iustices before whom such person shall be arraigned, and by the same Iurors of the same Countie, that shall trie the Petit Treason, Murder, or Felony, whereof he shall be so arraigned, without any further respect or delay, in whatsoeuer Countie or place of this Realme the matter of the same pleas be supposed or alleaged. 22.H.8.14. 32.H.8.3.

Triall of Murders &c. done within the K. palace.

4 All Treasons, Misprisions of Treasons, Murders, Manslaughters, bloudsheds, and other malicious strikings, by reason whereof bloud shal be shed against the K. Peace, which shall be done within any the Palaces or houses of the King, or his heires, or within any other house or houses, at such time as his Maiestie shal be then abyding in his royall person, shall be inquired of, tried, heard, & determined within any the Kings houses, or other house, where his Maiestie shall be abiding, before the Lord Steward of the Kings houshold, and in his absence before the Treasurer and Comptroller of the Kings houshold, and Steward of the Marshalsey, for the time being, or two of them, whereof the Steward of the Marshalsey to be one, by vertue of their Offices, without any Commission, or other authoritie to them giuen. And whether the King shall be remoued from the house where such offences shall be done, or not, before they be inquired of, heard, & determined, yet such offences shall be inquired of, tried, heard, & determined before the Kings Officers of houshold, before named, or two of them, by the inquisition and verdict of his houshold seruants in his Checke Roll, at such palace or house where his Maiestie shall be at any time abiding. 33.H.8.12. For the limits of the Kings palace, S. Fighting 1.

Inquirie of bloudsheds by the yeomen officers.

5 The two Clerks Controulers, Clerks of the Checke, and Clerke Marshals for the time being, of the Kings houshold, or one of them, vpon a Precept to them, or any of them made, by the Lord Steward, or in his absence by the said Treasurer and Controuler of the Kings houshold, and the said Steward of the Marshalsey, or by two of them, whereof the said Steward of the Marshalsey to be one, haue power to summon, warne, and returne the names of xxiij. persons, being yeomen Officers of the Kings said houshold in the said Checke Roll, to inquire of such Treasons, misprisions of Treasons, Murders, Manslaughters, and other malicious striking, by reason whereof bloud shall be shed against the Kings peace, before the said Lord Steward, or &c. Treasurer, Controuler, and Steward of the Marshalsey, or before two of them &c. And it shall be lawfull to them before whom such returnes shall be made, to cause such number of the said xxiij. persons so returned aboue the number of xij. persons, as to him or them shall seeme expedient, to inquire of such Treasons, misprision of Treasons, Murders, Manslaughters, or other malicious strikings, by reason whereof bloud shall be shed against the Kings peace, within the said palaces, or other the said houses, at any time committed &c. 33.H.8.12.

Arraignment of an offendor indicted.

6 And if any person or persons be indicted by the said Iurie, or by inquisition before the Coroner of the said houshold, & certified before the said Lord Steward, &c. or Treasurer, Controuler, and Steward of the Marshalsey, or two of them, whereof the said Steward of the Marshalsey to be one, then immediatly the said Lord Steward, or &c. Treasurer, Controuler, and Steward of the Marshalsey, or two of them &c. before whom the said Presentment, Inquisition, or Indictment shall be so found or certified by the said Coroner, shall arraigne before them euery such person so indicted, according to the course of the common Law, and forthwith after issue ioyned betweene the King and the prysoner so arraigned, the same day,

and

and place, or any other shall make an other Precept to the said Clerks Controullers, Clerks of the Checke, and Clerks Marshals of the said household, or to one of them, to summon and returne one Jurie of xxiiij. persons, to appeare before the said Lord Steward, or &c. Treasurer, Controuler, & Steward of the Marshalsey, or two of them &c. at such day, time, and place, and vpon such paine as shal be then limitted, of the Sergeants and Gentlemen officers of the Kings Chamber, and of the said household, which shall take wages by the Kings Checke roll. And the said Lord Steward, or &c. Treasurer, Controuler, and Steward of the said Marshalsey, or two of them &c. before whom such Jurie shall be so returned, shall cause twelue of the same Jurie to be sworne, truely to trie betweene the King and such person as shall be so indicted & arraigned of such Treasons, Misprisions of Treasons, Murders, Manslaughters, and other malicious strikings, by reason whereof blod shal be shed against the Kings peace, or any of them. 33. H. 8. 12. What challenge he which is in this sort arraigned, shall haue. S. Challenge 9.

7 If such person so indicted & arraigned, be found guiltie of any Treason, misprision of Treason, Murders, or Manslaughters, then he shall haue iudgement of life and member, and suffer such paines of death, and shall forfeit &c. in like maner, as if he had bin found guiltie of any of the said offences by the order of the Common Lawes. 33. H. 8. 12. How he shall be punished, which striketh maliciously within the K. pallace, whereby bloud shall be shed. S. Fighting 1. The punishment of the party attainted.

8 If any of the Lords of the Parliament, or Peere of this Realme, shall be indicted of any offence made Treason by the Act made 5. Eliz. 11. against the clipping, washing, rounding, or filing of Coyne, then they, and euery of them shall haue his or their triall by their Peeres, as hath bin vsed in cases of high Treason. And so shal any Peere of this Realme, which shal be indicted of any offence made Treason by the Statute of 18. Eliz. 1. prouided against the diminishing & impairing of the Quenes Coyne, and other Coynes lawfully currant within this Realme. And so shall any Peere that shall offend contrarie to the Act prouided, An 5. Eliz. 1. for the assurance of the Quenes royal power ouer all States and Subiects, or any braunch or article thereof. And so shall any Peere being indicted of any of the offences prohibited by the Statute made 13. Eliz. 2. against the bringing in of Buls &c. from Rome. And so shall any Peere which shall be indicted of any offence made Treason, or misprision of Treason, by the Statute prouided 23. Eliz. 1. to retaine the Quenes Subiects in due obedience. And so shall any Peere which shal be indicted of any offence made Treason, Felony, or Premunire, by the Statute prouided 27. Eliz. 2. against Jesuites, Seminarie Priests &c. And Ladies of great estate, viz. Dutchesses, Countesses, or Baronesses, which shall be indicted of any Treason or Felonie by them done, whether they be married, or sole, shall be brought to their answere, and put to answere, and iudged before such Iudges and Peeres of the Realme, as Peeres of the Realme should be, if they were indicted or impeached of such Treasons or Felonies committed, and in like maner and forme, and none otherwise. 20. H. 6. 9. Triall of Peeres. S. Treason 5. Treason 6. Rome 1. Rome 2. Rome 7. 8. Jesuites 2. 4. The order of the triall of Ladies.

9 If a Release or other deede be pleaded in barre in Assise, or other plees of land, or in any action grounded vpon a contract, couenant, or trespas, being dated within any franchise where the K. writ runneth not, it shall be tried in the County where the action is brought, and if witnesse be in the deed, processe shall be made into the same Countie, and if the witnesse do not come at the graund distresse returned, the Justices shall take the Enquest, aswell as if the deed had borne date in the same County where the suit was moued, and that the witnesses had bin of the same County. 9. Ed. 3. 4. S. Witnesse 2. Triall of a deed, where the K. writ runneth not.

10 All offences of Coniurations, Witchcraft, and dealing with euill & wicked Spirits, Murther, Manslaughter, felonious burning of houses, and Coyne, Burglarie, Triall of Felonies committed by Englishmen in Scotland.

glarie, robbing of houſes by day, robberie, theft, the deteſtable vice of Buggery committed with Mankind, or beaſt, and Rape, heretofore done and committed ſince his Maieſties comming to the Crowne of England, or hereafter to be done or committed, by any his Maieſties naturall borne Subiects of this Realme of England, or the Dominions of the ſame within the Realme of Scotland, or the Dominions thereof, and the Acceſſaries, of, and to the ſame, ſhall be from henceforth inquired of, heard and determined before his Maieſties Juſtices of Aſſiſe, or his Commiſſioners of Oier & terminer, or Gaole deliuerie, being naturall borne Subiects within this Realme of England, & none other, by good and lawfull men of the Counties of Cumberland, Northumberland, Weſtmerland, or any of the ſaid Counties, at the election of the ſaid Juſtices of Aſſiſes, or Commiſſioners, in like maner & forme to all intents & purpoſes (the alterations hereafter in this Act expreſſed, onely excepted) as if ſuch offences had bēn done & committed within the ſame Shire, where they ſhal be ſo inquired of, heard, & determined, as is aforeſaid. At which trials for the better diſcouerie of the trueth, & for the better information of the conſciences of the Jury and Juſtices, there ſhall be allowed vnto the partie ſo arraigned, the benefit of ſuch witneſſes onely to be examined vpon oath, that can be produced for his better clearing & iuſtification, as hereafter in this Act are permitted and allowed. 4. Iac. 1.

Witneſſes allowed to him that is arraigned.

11 Euery Juſtice of Peace of the Counties aforeſaid, vnto whom complaint ſhall be made, ſhall haue full power & authoritie by vertue of this Act to bind ouer by Recogniſance in a conuenient ſumme taken to his Maieſties vſe, aſwell the party proſecuting, as any witneſſes, which he ſhall deſire to produce (ſo as the ſaid witneſſes may haue their reaſonable charges firſt tendred vnto them) to proſecute and giue in euidence before ſuch his Maieſties Juſtices as aforeſaid, as the caſe ſhall require. 4. Iac. 1.

The proſecutors & witneſſes bound to giue euidence.

12 Euery Commaunder, procurer, counſeller, abbetter, comforter, receiner, or other acceſſarie, of, or to any the offenders or offences aforeſaid, ſo committed in Scotland, as aforeſaid, offending within the Realmes of England or Scotland, ſhall be produced, with all Indicted, tried, iudged, & executed without delay, notwithſtanding the Principals, or any of them be not conuicted, or attainted. And that no ſuch offender, either acceſſarie or principall ſhall be allowed the benefit of his Clergie, nor admitted to his peremptorie challenge of aboue the number of fiue. And that euery Indictment of any of the offences aforeſaid ſo committed as aforeſaid, ſhall be adiudged of as good force in Law, notwithſtanding the words (Contra Pacem, Coronam, & dignitatem noſtras) be omitted, as if the ſaid words had bēn therein conteined. 4. Iac. 1.

The Acceſſory tried though the principall be not.

No Clergie.

No peremptorie challenge aboue fiue.

The words of the Indictmēt

13 No Shirife, Vndershirife, or other Miniſter, to whom it apperteineth, ſhall returne any Iurour to enquire of, or trie any of the offences aforeſaid, ſo committed as aforeſayd, except euery ſuch Iurour ſhall haue freehold in poſſeſſion, to the value of fiue pounds by the yeere in the County, where ſuch inquirie and triall ſhall be, vpon pain to forfeit for euery Iurour that ſhall be returned contrary to this Act the ſumme of xl. l. to the K. and I. to be recouered by A. of debt B. P. or I. in any of the K. Courts at Weſtminſter, wherein no E. P. or W. And the offendor ſhall and may challenge any Iurour that ſhall paſſe vpon his life, for want of ſuch freehold, as aforeſaid. 4. Iac. 1.

Euery Iuror muſt haue v. l. of freehold.

14 No naturall Subiect of his Maieſtie of the Realme of England, or of the Dominions of the ſame, ſhall for any the offences aforeſaid committed within the Realme of Scotland, or for being acceſſary to the ſame, forfeit any Lands, Tenements, or Hereditaments, either Free, Copie, or Cuſtomary hold, neither ſhal the blod of ſuch Offendor be corrupted, nor the wife loſe her Dower; yet neuertheleſſe the ſaid offendors ſhall forfeit to his Maieſtie his heires & ſucceſſors, their

The offender ſhal forfait no land.

goods

goods, chattels, and credits whatsoeuer. 4. Iac. 1.

15 And forasmuch as it is intended, that an Act like vnto this shal be ordeined in the Realme of Scotland, for the tryall and punishment of offendors, being his Maiesties naturall borne Subiects of the same Realme, which shall commit any of the offences aforesaid within the Realme of England, or the Dominions thereof, & shall after escape, or returne backe into Scotland. Therefore be it enacted &c. That vpon complaint made by any of his Maiesties Subiects of the Realme of England, to any of the Iustices of Assise, Commissioners of Oyer and Terminer, or Gaole deliuerie, or Iustice of the Peace, within the precincts of their seuerall Commissions respectiuely, being naturall borne Subiects within the Realme of England, concerning any such offence committed by any his Subiects of the Realme of Scotland, within the Realme of England, in case where the offendor is returned into the Realme of Scotland, as aforesaid, the said Iustice or Commissioner shall haue full power & authoritie, to bind ouer aswell the said partie complaining or prosecuting, as any witnesses that he shall deeme to produce (so as their reasonable charges be first tendred vnto them) by Recognisance in a conuenient summe to his Maiesties vse, to prosecute and giue in euidence within the Realme of Scotland, wherein if default shall be made, and the same prooued by certificate or otherwise before the Lord Treasurer, Chauncellour, and Barons of the Exchequer, or any of them in the Exchequer Chamber, and a Decree there made, that the same Recognizance shall stand forfeited; Then the Court of Exchequer shall thereupon proceede for the leuying of the Debt of the said Recognizance, as if it were adiudged forfeited by the course of the common Law. 4. Iac. 1.

Like Act made in Scotland.

Binding the complaynant or Witnesse to giue euidence in Scotland.

16 On the other part, euery of his Maiesties Subiects of the Realme of Scotland, either partie grieued, or witnesse, which shal prosecute in any the cases aforesaid, within the Realme of England, and thereby shall haue occasion to make his repaire hither, either voluntary, or by the like Bond (as is before expressed, on the part of the Realme of England) shall haue & inioy Priuiledge & immunitie from all maner of Arrests, concerning all offences, or other causes, aswell capitall, as others, committed, done, or occasioned, before he shall so come into England, as aforesaid (except Treason, or wilfull Murther) so long as he or they shall be necessarily going, comming, or abyding, within the said Realme of England, for the prosecution of the said offenders. 4. Iac. 1.

Scottishmen repairing into England to giue euidence shall be free from arresting.

17 Prouided neuertheless, that euery such offence so committed, as aforesaid, shall be layd and alledged in the Indictment or other declaration, to be done & committed in the Realme of Scotland, according to the trueth of the fact, and not in the Counties, where the Triall is limitted, to be had & made, as aforesaid: Any thing in this Act formerly conteined, to the contrary notwithstanding. 4. Iac. 1.

The offence shall be layd where it is done.

18 Prouided, that if any his Maiesties Subiects of the Realme of Scotland, shal be proceeded with and tryed in the Realme of Scotland, vpon the prosecution of any partie grieued, & vpon euidence in open Court for any offence done or committed within the Realme of England, that no such person shalbe effsones called in question, or proceeded with for the same fact within the Realme of England, But that it shal be lawful for euery such person, to plead & alleage for himselfe vpon his arraignement, that he was formerly lawfully acquited, conuicted, or attainted of the same offence within the Realme of Scotland, And that thereupon all further proceeding shall stay, vntill the Court haue sufficiently informed themselues by Certificat from the Realme of Scotland, or by any other good waies, & meanes of the trueth of the said allegations, which if they shal find true, the said person shal be forthwith discharged of all further impeachment or proceeding. 4. Iac. 1.

He that is once tried shal not be effsoones called in question.

19 No naturall borne Subiect of the Realme of England, or the Dominions of the same, shall for any high Treason, Misprision, or concealment of high Treason, petie

None shall be fet out of England to receiue his trial.

petie Treason, or any other whatsoeuer offence or cause committed within Scotland, be sent out of England, where he is apprehended, to receiue his tryall, vntill such time as both Realmes shall be made one in Lawes & Gouernment.

The Iurors shall allow of, or reiect the witnesses.

20 At all such trials, the Iurors then and there sworne, or the greater part of them (who in respect of the great trust and charge which must now be layed vpon them, are by vertue of this Act as before appeareth, to be persons of better condition and qualitie, then the Law required heretofore for Iurors in trials of like offences) shall haue in their power and election according to their conscience and discretion vpon their oathes, to receiue and admit onely such sufficient, good, and lawfull witnesses vpon their oathes, either for, or against the partie arraigned, as shall not appeare to them, or the greater part of them to be vnfit and vnworthy to be witnesses in that case, either in regard of their hatred & malice, or their fauor and affection, either to the partie prosecuting, or to the partie arraigned, or of their former euill life and conuersation. 4. Iac. 1.

Trial by proces.

21 Prouided, that if the Offendor in any the cases aforesaid, shall be a Pere of the Realme, then his triall therein shall be by his Peres, as is vsed in cases of Felonie or Treason, and not otherwise. 4. Iac. 1.

1 For the triall of Treasons, misprision of treason, and murders, by speciall commission. S. Treason 9. Piracie 1.

2 For the triall of Treasons committed out of the Realme. S. Treason 10.

3 For the triall of Treasons committed in Wales, and where the K. writ runneth not. S. Treason 12.

4 That trials of Treasons shal be according to the course of the Common laws. S. Treason 13.

5 Who shall be admitted to passe in triall of Felonies and Treasons in corporat Townes. S. Iurors 15.

6 Where trials shall be *De medietate Linguæ*, and where not. S. Iurors 29. 30. Attaint 21.

7 For the triall of him which imbesileth a Record. S. Felonie 18.

8 By whom bastardie alleadged in him that is borne beyond the Sea, shall be tried. S. Abilitie 2.

9 For the punishment of a Felon which refuseth lawfull triall. S. Felonie 42.

10 For the triall of offences done vpon the maine seas. S. Piracie 1. 2. 4.

11 For the triall before the Shirifes, or in Court barons, or in corporat townes in Wales. S. Wales 42. 55.

12 The triall of the arriual, discharging, and deliuerie of brasse and other mettals, into any part beyond the Sea. S. Brasse &c. 2.

Turnes of Sherifes.

At what time the sherif may hold his turne

NO Shirife nor his Bailife, shall hold his Turne but in the due and accustomed place, and but twice in the yere, that is, once within a moneth after Easter, and another time within a moneth after Michaelmas. (And if he do hold his turne in other maner, he shall lose his Turne for that time. 31. E. 3. 14.) And the view of frankpledge, shalbe at the feast of S. Michael without any stay, so that euery man may haue his liberties. And the view of frankpledge shall be so vsed, as that the K. peace may be preserued, and that the Tything may be kept whole, as it had wont to be. And the Sherife shall seeke no occasion, but be content with that which the Sherife had wont to haue at his Leete, in the time of K. H. 2. Mag. Char. 9. H. 3. 36.

Persons exempted.

2 Archbishops, Bishops, Earles, Barons, and women, neede not to come to the Sherifes turnes, except their presence for any cause be specially required. And they

they which haue land in diuers Hundreds, need not to come to such turnes, but in the baillwicke where they be conuersant. Marleb. 52.H.3.3. 10.

3 Shirifes in their turnes may inquire & determine euerie default and offence of Hostlers, making horsebread (not of sufficient, lawfull, and due assise, according to the price of corne) committed within the limits of their Iurisdictions. 32.H.8. 41.S.Inholders 2. Horsebread.

4 And also they may there inquire of attachements made by the Officers of the Courts of the East Marches, or West Marches, out of any of the Counties of Westmerland, Cumberland, or Northumberland, or the towne of Newcastle vpon Tine, and therein proceed, as they may vpon presentments taken before them in their turnes, of trespasses, or affrayes made against the Kings peace. 31.H.6.3. S.Marches 1. Attachment in the Marches.

5 And also they may there inquire by the oathes of xij. lawfull men, of all offences committed contrarie to the stat. prouided 7.Ed.6. To auoid the prices & excesse of wines, & euerie presentment taken by the oathes of xij. men, shalbe of such force, as if the same were taken in the K. Bench. 7.E.6.5. Wines.

1 What Iurors shalbe returned in a Shirifes Turne. S. Iurors 14.

2 That an indictor in the Shirifes Turne, which is sued in a spirituall Court, shall haue a Prohibition. S. Prohibition 7.

3 At what time Shirifes in Wales shall keepe their Turnes, who shall haue the Fines, Issues, and Amerciaments, there forfeited, and who shall afferre them. S. Wales 43.

Vagabonds, Rogues, &c.

IT shall and may be lawfull to and for the Iustices of peace of any Countie or Citie in this Realme or the Dominions of Wales, assembled at any quarter Sessions of the Peace within the same Countie, Citie, Borough, or Towne corporat, or the more part of them, to set downe order, to erect, and cause to be rected one or more houses of correction within their seuerall Counties, or Cities: for the doing and performing whereof, and for the prouiding of stockes of money, and all other things necessary for the same, and the raising and gouerning of the same, and for correction and punishment of offendors thither to be committed, such orders as the same Iustices or the more part of them, shall from time to time take, reforme, or set downe in any their said quarter Sessions in that behalfe, shal be of force, and be duely performed and put in execution. 39. Elizab. 4. Iustices of Peace 73. The Iust. of P. shall set downe orders for the erection and maintenance of houses of correction.

2 All persons calling themselues Schollers, going about begging, all Seafaring men pretending losses of their ships or goods on the Sea, going about the Countrey begging, All idle persons going about in any Countrey either begging or vsing any subtile craft, or vnlawfull games and playes, or faining themselues to haue knowledge in Physiognomie, Palmestrie, or other like craftie science, or pretending that they can tell destinies, fortunes, or such other fantasticall imaginations, All persons that be, or vtter themselues to be proctors, procurers, patent gatherers, or collectors for Gaoles, Prisons, or Hospitals, All Fencers, Bearewards, common Players of Enterludes, and Minstrels wandring abroad, All Iuglers, Tinkers, Pedlers, & petie Chapmen, wandring abroad, All wandring persons and common labourers, being persons able in bodie, vsing loytering, and refusing to work for such reasonable wages as is tared or commonly giuen in such parts where such persons do, or shall happen to dwell or abide, not hauing liuing otherwise to maintaine themselues, All persons deliuered out of Gaoles, that do begge for their fees, or otherwise do trauel begging: All such persons as shal wander abroad who shall be adiudged Rogues, Vagabonds & sturdy beggers.

abroad begging, pretending losses by fire, or otherwise: (All such person and persons as shall wander vp & downe the Countrey to sell glasses. 1. Iac. 7.) And all such persons not being felons, wandring and pretending themselues to be Egyptians, or wandring in the habit, forme, or attire of counterfeit Egyptians, shall be taken, adiudged, & deemed Rogues, Vagabonds, & sturdy Beggers, & shall sustaine such paine and punishments, as by this Act is in that behalfe appointed. But this Act shall not extend to any children vnder the age of 7. yeares. 39. Eliz. 4.

The punishment of a Vagabond.

3 Euerie person which is by this present Act declared to be a Rogue, Vagabond, or sturdie begger, which shall be at any time taken begging, vagrant, wandring, or misordring themselues in any part of this Realme or the Dominion of Wales, shall vpon their apprehension by the appointment of any Iustice of peace, Constable, Headborough, or Tithingman of the same Countie, Hundred, Parish, or Tithing, where such person shall be taken (the Tithingman or Headborough being assisted therein with the aduise of the Minister, and one other of that parish) be stripped naked from the middle vpwards, and shalbe openly whipped, vntill his or her bodie be bloudie: And shall be forthwith sent from parish to parish by the officers of euerie the same, the next straight way to the parish where he was borne, if the same may be known by the parties confession or otherwise. And if the same be not knowne, then to the parish where he or she last dwelt before the same punishment, by the space of one whole yeare, there to put him or her selfe to labour as a true subiect ought to doe: Or not being knowne where he or she was borne, or last dwelt, then to the parish through which he or she last passed without punishment. After which whipping the same person shall haue a Testimoniall subscribed with the hand, and sealed with the seale of the same Iustice of peace, Constable, Headborough, or Tithingman, and of the Minister of the same parish or of any two of them, testifying that the same person hath bin punished according to this Act, and mentioning the day and place of his or her punishment, and the place whereunto such person is limited to go, and by what time the said person is limited to passe thither at his perill. And if the said person through his or her default do not accomplish the order appointed by the said testimoniall, then to be eftsoones taken and whipped, and so as often as any default shalbe found in him or her contrarie to the forme of this Statute, in euerie place to be whipped, till such person be repaired to the place limited: The substance of which Testimoniall shall be registred by the Minister of that Parish, in a booke to be prouided for that purpose vpon paine to forfeit v. s. for euerie default thereof. And the partie so whipped, and not knowne where he or she was borne, or last dwelt by the space of a yeare, shall by the Officers of the said Village, where he or she so last past through without punishment, be conueyed to the house of correction of the limit wherein the said Village standeth, or to the common gaole of that Countie or place, there to remain and be imploied in worke, vntil he or she shalbe placed in some seruice, and so to continue by the space of one yere, or not being able of bodie, vntill he or she shall be placed to remaine in some Almes house in the same County or place. 39. El. 4.

Rogues which be dangerous, or will not be reformed.

4 Prouided alwaies, if any of the said Rogues shall appeare to be daungerous to the inferior sort of people, where they shall be taken, or otherwise be such as will not be reformed of their roguish kind of life by the former prouisions of this Act: Then it shall and may be lawfull to the said Iustices of the limit where any such Rogue shall be taken, or any two of them, whereof one to be of the Quorum, to commit that Rogue to the house of correction, or otherwise to the Gaole of that Countie, and then such of the same Rogues so committed, as by the Iustices of the peace then and there present, or the most part of them, shalbe thought fit not to be deliuered, shall and may be lawfully by the same Iustices, or the most part of them, then present in their open Sessions of the peace, be branded in the left shoulder

ſhoulder with an hot burning Yron of the breadth of an Engliſh Shilling, with a great Roman R. vpon the Yron, and the branding vpon the ſhoulder to be ſo throughly burned and ſet one vpon the ſkinne and fleſh, that the letter R. be ſeene, and remaine for a perpetuall marke vpon ſuch Rogue, during his or her life, and thereupon be ſent by the ſame Iuſtices to the place of his dwelling, if haue any, if not, then to the place where he laſt dwelt by the ſpace of a yeare, if that can be knowne by his confeſſion or otherwiſe: And if that cannot be knowne, then to the place of his birth, there to be placed in labour, as a true ſubiect ought to be. And after ſuch puniſhment of any ſuch Rogue, as is aforeſaid, if any Rogue ſo puniſhed ſhall offend againe, in begging or wandring contrarie to the ſaid Statute, or this Act, Then in euerie ſuch caſe, the partie ſo offending ſhalbe iudged a felon, and ſhall ſuffer as in caſes of felonie, without benefit of Clergie, the ſame felony be tried in the Countie where any ſuch offend or ſhal be taken. 39. El. 4. 1. Iac. 7.

Brāded with a hot yron R.

Felonie.

5 Euerie perſon or perſons ſhall apprehend, or cauſe to be apprehended, ſuch Rogues, Vagabonds, and ſturdie beggers, as he or they ſhall ſee or knowe to reſort to their houſes, to begge, gather, or receiue, any alms, & him, her, or them, ſhall carie, or cauſe to be carried to the next Conſtable or Tithingman, vpon pain to forfeit for euery default x.s. to be leuied and imploied in maner and forme, and vpon ſuch like proofe and conuiction, as penalties and forfeitures are to be leuied and imploied by the ſaid ſtat. of 39. Eliz. And in default of ſuch leuie, then to be leuied and imploied by the Lord of the Leet, or his officer, where ſuch offence ſhall be committed, in ſuch maner as the perſons authorized by the ſaid Statute, might, or ſhould haue leuied and imployed the ſame. If ſuch Conſtable or Tithingman do not carie the ſaid Rogues, Vagabonds, and ſturdie Beggers, to be puniſhed, according to the forme ſet downe in the ſaid Act, of 39. Eliz. and to be conueyed according to the purport of the ſaid Act, then the ſaid Conſtable or Tithingman ſhall forfeit xx.s. for euerie default to be leuied and imploied in maner and forme as in the ſaid Stat. is declared. And alſo if any perſon or perſons do in any wiſe diſturb or let the execution of this law, or any part thereof concerning the puniſhment and conueying of Rogues, Vagabonds, ſturdie beggers, or the reliefe or ſetling of poore impotent perſons in any maner of wiſe, or make reſcous againſt any officer or perſon authorized by this preſent act, for the due execution of any the premiſſes, the ſame perſon ſo offending ſhall forfeit and loſe for euery ſuch offence, the ſumme of fiue pounds, and ſhalbe bound to the good behauiour. 39. El. 4. 1. Iac. 7.

Euery perſon ſhall apprehend a rogue.

The fork. of a Conſtable.

Diſturbing the execution of the ſtatute.

6 No perſon or perſons hauing charge in any voyage, in paſſing from the Realmes of Ireland or Scotland, or from the Iſle of Man, into this Realme of England, ſhall wittingly or willingly bring or conuey, or ſuffer to be brought or conueied in any veſſel or boate, from and out of the ſaid Realme of Ireland, Scotland, or Iſle of Man into the Realme of England or Wales, or any part thereof, any Vagabond, Rogue, or Begger, or any ſuch as ſhall be forced or verie like to liue by begging within the Realme of England or Wales, being borne in the ſame Realmes or Iſland, one paine of euery ſuch perſon ſo offending, to forfeit and loſe for euerie ſuch vagabond, rogue, begger or other perſon like to liue by begging, xx.s. to the vſe of the poore of the ſaid pariſh in which they were ſet on land. And if any ſuch Manniſke, Scottiſh, or Iriſh Rogue, vagabond, or begger, be alreadie, or ſhall at any time hereafter be ſet on land, or ſhall come into any part of England or Wales, the ſame after he or ſhe ſhall be puniſhed as aforeſaid, ſhal be conueyed to the next port or pariſh in or neere which they were landed, or firſt came, in ſuch ſort as Rogues are appointed to be by this preſent Act, & from thence to be tranſported at the common charge of the countrey where they were ſet on land, in thoſe parts from whence they came or were brought. And euerie Conſtable, Headborough, and Tithingman, neglecting the due performance thereof, ſhall

Bringing in to this realme of Iriſh, Scottiſh, or Manniſke vagabonds.

forf.

forf. for euerie such offence v.s. 39. Eliz. 4.

Diseased persons resorting to Bathe or Burton.

7 No diseased or impotent poore person, shall at any time resort or repaire from their dwelling places, to the City of Bathe or towne of Burton, or either of them, to the Bathes there for the ease of their griefes, vnlesse such person do forbeare to begge, and be licenced to passe thither by two Justices of peace of the Countie where such person doth or shall then dwell or remaine, and prouided for to trauell with such releife, for and towards his or her maintenance, as shall be necessarie for the same person, for the time of such his or her trauell, and aboade at the Citie of Bathe and Towne of Burton, or either of them, and returne thence, and shall returne home againe as shall be limited by the said licence, vpon paine to be reputed, punished, and vsed as Rogues, Vagabonds, and sturdie Beggers, declared by this present Act. And the inhabitants of the same citie of Bathe, and Towne of Burton, shall not in any wise be charged by this act, with the finding or releife of any such poore people. 39. Eliz. 4.

The Iust. within townes corporat, shall onely intermeddle.

8 Prouided alwayes that the Justices of peace within any Countie of this Realme or Wales, shall not intromit or enter into any Citie, Borough, or townes corporat, where be any Justice or Justices of the peace for any such Citie, Borough or Towne corporat, for the execution of any branch, article, or sentence of this Act, for or concerning any offence, matter, or cause, growing or arising within the precincts, liberties, or iurisdictions of such Citie, Borough, or townes corporat, But that it may and shal be lawfull to the Justice and Justices of the peace, Maiors, Bailifes, and other head Officers of those Cities, Boroughes, & townes corporat, where there be such Justices of the peace, to proceed to the execution of this Act, within the precinct and compasse of their liberties, in such maner & forme as the Iust. of P. in any Countie may or ought to do within the same County, by vertue of this Act: any thing in this act to the contrary thereof in any wise notwithstanding. 39. Eliz. 4.

S. Thomas Hospitall in Southwarke

9 Prouided also, that this Act, or any thing therein contained, shall not extend to the poore people for the time being, in the hospitall, called Saint Thomas Hospitall, otherwise called the Kings Hospitall in the Borough of Southwarke nere adioyning to the Citie of London, but the Maior, Comminaltie, and Citizens of the said Citie of London for the time being, shall and may haue the rule order and gouernement of the said Hospitall, and of the poore people therein for the time being: any thing in this Act to the contrary notwithstanding. 39. Eliz. 4.

The iurisdiction of Iohn Dutton of Dutton reserued.

10 Prouided alwaies, that this Act or any thing therein contained, or any authoritie thereby giuen, shall, not in any wise extend to disinherit, preiudice, or hinder Iohn Dutton of Dutton in the Countie of Chester Esquire, his heires or assignes, for, touching, or concerning any libertie, preheminence, authoritie, iurisdiction, or inheritance, which the said Iohn Dutton now lawfully vseth, or hath, or lawfully may or ought to vse in allowing Minstrels within the Countie Palantine of Chester, & the County of the citie of Chester, or either of them, for the gouernement of Minstrels there and keeping a Court yearely for that purpose, by reason of any auncient Charters, of any Kings of this land, or by reason of any prescription, vsage, or title, whatsoeuer. 39. El. 4. 1. Iac. 25.

In what sort the forfeitures shalbe imployed.

11 All fines and forfeitures appointed, or to grow by this Act (except such as are otherwise limited and appointed by this Act) shall wholy goe and be imploied to the vse of the reparations and maintenance of the said houses of correction, and stocke and store thereof, or releife of the poore where the offence shall be committed at the discretion of the Justices of peace of the same Limit, Citie, Borough, or Towne corporat. And all fines and forfeitures appointed, or to growe by conuiction of any person, according to this Act, shall by warrant vnder the hands and seales of any two or more of the Justices of the peace of the same Countie, Citie,

Borough,

Borough, or Towne corporat, be leuied by diſtreſſe, and ſale of the goods and chattels of the offendor, which ſale ſhall be good in the law againſt ſuch offendor. And if any of the ſaid offences ſhall be confeſſed by the offendor, or that the ſame ſhall be proued by two ſufficient and lawfull witneſſes, before ſuch two or more Juſtices of the peace: Then euery ſuch perſon ſhall forthwith ſtand and be in the Law conuicted thereof. 39. Eliz. 4.

12 Any two or more Juſtices of the Peace within all the ſaid Shires, Cities, Boroughes, or Townes corporat, whereof one to be of the Quorum, ſhall haue full power by authoritie of this preſent Act, to heare & determine all cauſes, that ſhall grow or come in queſtion, by reaſon of this Act. 39. Eliz. 4. S. Iuſt. of peace 74. — Juſt. of peace may heare & determine all the cauſes of this ſtatute.

13 The Lord Chauncellor, or Keeper of the great Seale of England for the time being, ſhall and may at all times hereafter, by vertue of this Act, without further warrant, make & direct commiſſion or commiſſions vnder the great Seale of England, to any perſon or perſons, giuing them, or ſome of them thereby authoritie, aſwell by the oathes of good and lawfull men, as of witneſſes, or examination of parties, or by any other lawfull waies or meanes whatſoeuer, to inquire what ſummes of money, or other things haue been, or ſhall be collected or gathered, for, or towards the erection of any houſes of Correction, or any ſtockes, or other things to ſet poore on worke, or for the maintenance thereof, at any time after the ſeuententh day of Nouember, in the 18. yeare of the Raigne of the Queene, and by whom the ſame were or ſhal be collected or gathered, and to whoſe hands commen, and to what vſe, and by whoſe direction the ſame was, or ſhall be imployed. And to call all and euery ſuch perſon and perſons, and their ſuerties, and euery of their executors or adminiſtrators to an accompt: And to compell them, and euery of them by attachment of their goods, or bodies, to appeare before them for the ſame, and to heare and determine the ſame, and to leuie ſuch money and things, as they ſhall find not to haue been duely imployed vpon the ſaid houſes of Correction, or ſtockes, or vpon other like vſes, hauing in ſuch other like vſes, reſpect of things paſt by the ſaid Commiſſioners to be allowed of, either by diſtreſſe, and ſale of the goods and chattels, of ſuch perſons as they ſhall thinke fit to be chargeable, or anſwerable for the ſame, or by impriſonment of their bodies at their diſcretion: And the ſame Commiſſioners ſhall haue full power and authoritie to execute the ſame Commiſſion, according to the tenor & purport thereof: And all their proceedings, doings, iudgements, and executions, by force and authoritie thereof, ſhall be, and remaine good and auailable in the Law: Which ſaid money ſo leuied by the ſaid Commiſſioners, ſhall be deliuered and imployed for the erecting or maintenance of the ſame. 39. Eliz. 4. — Commiſſioners to inquire for money gathered for houſes of Correction, or ſtocke for the poore.

14 Prouided alwayes neuertheleſſe, that euery Seafaring man ſuffering Shipwrack, not hauing wherewith to relieue himſelfe in his trauels homewards, but hauing a Teſtimoniall vnder ſome one Juſtice of the Peace, of, or nere the place where he landed, ſetting downe therein the place and time, where, and when he landed, and the place of the parties dwelling, or byth, vnto which he is to paſſe, and a conuenient time therein to be limitted for his paſſage, ſhall and may without incurring the danger and penaltie of this Act, in the vſuall wayes directly to the place vnto which he is directly to paſſe, and within the time in ſuch his Teſtimoniall limitted for his paſſage, aſke, and receiue ſuch reliefe, as ſhall be neceſſarie, in and for his paſſage. 39. Eliz. 4. 1. Iac. 7. To continue vntill the end of the next Parliament. — A prouiſion for poore Seafaring men.

1 What act done by any ſeruant ſhall procure him to be puniſhed as a Vagabond. S. Labourers 8.

2 A Souldier or Mariner taken forging or counterfeiting a Certificat, ſhall be adiudged a Vagabond. S. Captaines 23.

View.

In what cases View is grantable, and in what not.

VIew shall not be graunted, but in case where the View is necessarie: As if one lose land by default, and he that loseth, bringeth a writ to demaund the same land: And in case where one by an exception dilatorie, abateth a writ after the view, as by Nontenure, or misnaming of the Towne, or such like, if he purchase an other writ, in this case, and in the case before mentioned, the View shall not be graunted, if he had view in the first writs. In a writ of Dower, where the demand is of land that the husband alienes to the tenant, or his auncestors, where the tenant ought not to be ignorant what land the husband did alien to him or his auncestor, though the husband dyed not seised, yet view shall not be graunted. In a writ of Entre also that is abated, because the demaundant misnamed the entre, if he purchase an other writ of Entre, if the tenant had view in the first writ, he shall not haue it in the second. In all writs also where lands be demaunded by reason of a Demise made by the demaundant or his auncestor, vnto the tenant, and not to his auncestor, as that he demised to him being within age, not whole of mind, being in prison, and such like, view shall not be graunted: But if the demise were made to his auncestor, the view shall lie as it hath done before. West. 2. 13. Ed. 1. 48.

Villenage and Villaines.

Commissions to inquire of misdemeanor of Villaines.

VIllenage may be pleaded, and a Villaine may be seised by his Lord, though the villaine haue a writ of Libertate probanda hanging. 25. Ed. 3. 18. Upon their Lords request, speciall Commissions shall be graunted to the Iustices of Peace, or other sufficient persons to inquire of Villaines, which do vse themselues rebelliously, and will not be iustified by their Lords. And also of their councellors and maintainers, which Commissioners shall haue power, to heare and determine the same, and to imprison the offendors. 1. R. 2. 6.

Villaines suing their Lords.

2 Though any mans Villaine do flie into any Citie, Towne, or place infranchised, and do faine any suit against his Lord, to the intent by that means to become free, yet the Lord shall not be barred of his Villaine, because of his answere in Law. 9. R. 2. 2.

Cognisance of Villenage.

3 No writ shall be abated by an exception of cognisance of Villenage, if the demandant will auerre, that he which alleageth the exception was free the day of the writ purchased. 37. Ed. 3. 17.

Victuals, Victualers.

Victuals brought to London.

EVery man that bringeth Victuals, whatsoeuer they be, to the Cities of London, by land, or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by any Fisher, Butcher, Pulter, or any other whatsoeuer. And the Maior and Aldermen of the said Citie may rule and redresse the defaults of Fishers, Butchers, and Pulters, as they doe of those which sell Bread, Ale, or wine. 31. E. 3. 10. 7. R. 2. 11. S. Marchants 1.

Aliens bringing in victual, may sell them in grosse, or by retaile.

2 All Forreins and Aliens being in friendship with the King and the Realme, and comming within the Citie of London, & other Cities, Boroughes, & Townes within the Realme, aswell within Liberties, as without, with Fish and all other Victuals, and there tarrying & returning againe to their owne Countries, shall be vnder the Kings safegard, and speciall protection. And it shall be lawfull to them, and euery of them, to cut their fish and victuals in peeces, and in part, by retaile, or

in

in groſſe, as it ſhall ſeeme beſt vnto them to ſell the ſame, and make their profite thereof, without the hinderance or contradiction of any man. 6.R.2.10. 1.H.4. 17. And if any man diſturbe any Forreine, or Alien, to ſell their Fiſh in groſſe, or by retaile, in part, or in the whole, contrarie to the foreſaid ordinance, and is thereof attainted at the King, or the parties ſuit, he ſhall forfeit xl.li. And he that will ſue for the King, or for himſelfe, ſhall haue the one halfe, and the King the other. And he that will ſue for the King or himſelfe, for any offence committed within the Citie of London, contrarie to the foreſaid Statute, may ſue in what Counte he will of the Counties of Middleſex, Hartford, Eſſex, Kent, Surrey, or in the Citie of London. 14.H.6.6. S.Marchants 1.

3 Victualers ſhall haue reaſonable gaine, and no more, according to the limitation and diſcretion of the Juſtices of Peace, vpon paine to be grieuouſly puniſhed after the diſcretion of the ſame Juſtices where no paine is limitted in certaine. 13.R.2.8. The prices of victuals aſſigned by the Juſt. of P.

4 Butchers, Fiſhmongers, Hoſtlers, Brewers, Bakers, Pulters, and all other Sellers of all maner of Victuall, ſhall be bound to ſell the ſame victuall for a reaſonable price, hauing reſpect to the price that ſuch victuall is ſold at in the places adioyning, ſo that the Sellers haue a moderate gaine, and not exceſſiue, reaſonably to be required, according to the diſtance of the place from whence the ſaid victuals be carried: And if any ſell ſuch victuals in any other maner, and thereof be conuict, he ſhall pay the double value of the ſame, that he ſo receiued, to the partie damnified, or in default of him, to any other that will purſue in his behalfe. And the Maiors, and Bailifes of Cities, Boroughes, Marchant Townes, and the Ports of the Sea, and other places, haue power to inquire of all and ſinguler which ſhall in any thing offend the ſame, and to leuie the ſaid paine to the vſe of them at whoſe ſuit ſuch offendors ſhall be conuict. And in caſe the ſame Maiors and Bailifes be negligent in doing execution of the premiſſes, and thereof be conuict before the Kings Juſtices, then the ſame Maiors and Bailifes ſhall be compelled by the ſame Juſtices, to pay the treble of the thing ſo ſold, to the partie damnified, or to any other in default of him that will purſue: And alſo ſhall be grieuouſly puniſhed by the King. 23.E.3.6. And no perſon other then ſuch Maiors, Bailifes, or Gouernors, before rehearſed, hauing Franchiſes, and ſurueying of Victuals, and correction of the ſame, or other intituled by point of Charter, ſhall by colour of any Letters Patents, vſe any office of ſurueying, or correcting of Victualers within any Cities, Boroughes, or other places, vpon paine of forfaiture for euery default to the King and Informer xl. pounds, to be recouered by Action of debt, wherein no wager of Law, E.P.&c. 12. Ed.4.8. Victuals ſhall be ſold at reaſonable prices. Surueiors & Correctors of victualers.

5 Vpon euery complaint made of any enhaunſing of prices of Cheeſe, Butter, Capons, Hens, Chickins, and other victuals neceſſarie for mens ſuſtenance, without cauſe reaſonable, in any part of the Kings Dominions, the Lord Chauncellor, the Lord Treaſorer, the Lord Preſident of the Kings Councell, the Lord Priuie Seale, the Lord Steward, the Lord Chamberlaine, and all other Lords of the Kings Councell, the Treaſorer and Comptroller of the Kings houſe, the Chauncellor of the Duchy of Lancaſter, the Kings Juſtices of either Bench, the Chauncellor, Chamberlaines, Under Treaſorer, & the Barons of the Kings Exchequer, or ſeuen of them at the leaſt, whereof the Lord Chauncellor, the L. Treaſorer, the L. Preſident of the Kings Councell, or the Lord Priuie Seale, to be one, haue power from time to time, as the caſe ſhall require, to ſet & tare reaſonable prices of all ſuch kinds of victuals aboue ſpecified, how they ſhall be ſold in groſſe, or by retaile, for reliefe of the K. Subiects, and after ſuch prices ſet & tared in forme aforeſaid, Proclamation ſhal be made in the K. name, vnder the great Seale, of the ſaid prices, in ſuch part of this Realme, as ſhal be conuenient for the ſame. 25.H.8.2. The prices of victuals aſſeſſed by the K. Councellors and Officers.

They which haue victuals to ſell, muſt ſel them at the price taxed.

6 All Fermors, Owners, Broggers, and all other Victualers, keping any of the kinds of victuals afore rehearſed, to the intent to ſell, ſhall ſell the ſame to ſuch the K. Subiects, as will buy them, at ſuch prices as ſhall be ſet by the ſaid Proclamation, vpon the paines to be limitted in the ſaid Proclamation to be forfeited, and leuied to the Kings vſe, in ſuch wiſe as by the ſame Proclamation ſhall be declared. 25. H. 8. 2.

Head officers of corporat Townes may ſet prices of victuals.

7 This Act ſhall not be hurtfull to Maiors, Bailifes, or other Officers of Cities, Boroughes, and Townes corporat, nor to any perſons, or bodies politike, hauing authority to ſet prices of ſuch Victuals, or of any of them, but they & euery of them, may ſet prices thereof, as if this Act had neuer been made. 25. H. 8. 2.

No victuals ſhall be tranſported without licence.

8 No perſon or perſons (vnleſſe it be by licence vnder the K. great Seale) ſhall carrie or conuey, or cauſe to be carried or conueyed, any Corne, Beeues, Puttons, Veales, Porkes, Butter, Capons, Hens, Chickens, or other Victuals neceſſaries for mens ſuſtenance, to any the parts beyond the Sea (except onely for victualing of Mariners, & Marchants of Ships, paſſing the Seas: And alſo except barrelled Butter & Veals to be carried to the parties of Ireland, as hath been accuſtomed) vpon paine of forfeiting of the value of the thing carried, contrarie to this Act, to the King and I. &c. to be recouered by A. I. &c. wherein no W. E. P. &c. 25. H. 8. 2. For the tranſporting of Corne, S. Corne 1. 2. 6. 7.

How the prices of victuals ſhal be aſſeſſed when a victualer is chefe officer.

9 No Officer in a Citie or Borough, which by reaſon of his office ought to keepe the Aſſize of Wines & Victuals, ſo long as he ſhall be in office, ſhall ſell wine or victuals in groſſe, or by retaile, vpon paine to forfeit the thing ſold to the K. wherof the third part ſhal be deliuered to him that ſued the offendor. 12. E. 2. 6. But whenſoeuer any Victualer is choſen to beare any office within any Citie, Borough, or Towne corporat, which for the time that he ſhall be in ſuch office, ſhould haue the aſſeſſing and correction for ſelling of victuals, then two diſcreet & honeſt perſons of the ſame Citie, Borough, &c. neither of them being a Victualer, ſhall be choſen by the Comminaltie of the ſame Citie, Borough, &c. in like forme as the ſaid Officer ſhall be choſen: Which two perſons with the ſaid Officer ſhall be ſworne truely to ſeſſe & ſet the prices and aſſizes of victuall there for the time that any ſuch victualer ſhall abide in the ſaid office: And then it ſhall be lawfull to euery of the ſaid Officers, after the ſame victuals be ſet & aſſeſſed by the ſame officer, and the ſaid two perſons, or one of them (the other being abſent) to marchant & ſell wines, and all other victuals in groſſe, and at retaile, during the time he ſhall be in any ſuch office, without any thing therefore to forfeit: The foreſaid Statute of 12. E. 2. or any other ſtatute notwithſtanding. An 3. H. 8. 8.

London, Yorke, Couentrie.

10 But this Act ſhall not extend to diſcharge any miniſter of the Cities of London, Yorke, and Couentrie, nor none of them, for any Wine or Victuall to be ſold by any retaile within any of the ſaid Cities. 3. H. 8. 8. S. 6. R. 2. 9.

1 A remedie againſt Conſpiracies made by Victualers for ſelling their victuall S. Artificers 1. 2. Corporations 7.

2 That no Victualer ſhall be a Taker for the K. carriage. S. Purueiors 12.

3 When, and in what caſes Corne and other Victuall may be tranſported, and when not. S. Corne.

4 It is Felonie to conuey any Victuals prouided for the victualing of Souldiers. S. Armour 3.

Voucher, and Counterplea of Voucher.

A tenant impleaded, voucheth, the vouchee denieth the warrante.

WHen any demaundeth land againſt an other, and the partie that is impleaded voucheth to warrantie, and the Vouchée denieth his warrantie, in this caſe, like as the tenant ſhould loſe the land in demaund, in caſe where he vouched,

vouched, and the Vouchée could discharge himselfe of the warrantie: In the same wise shall the Vouchée lose, in case where he denieth his warrantie, and it be found and tried against him, that he is bound to warrantis. And if an Enquest be depending betweene the Tenant and the Vouchée, and the demandant doth desire a writ to cause the Jurie to appeare, it shall be graunted vnto him. Westm 2. 13. Ed. 1. 6.

2 In a writ of Mortdaunceſter, of Cosinage, of Aiel, Nuper obijt, of Intrusion, and other like writs, whereby lands or tenements are demanded which ought to discend, revert, remaine, or escheat, by the death of any aunceſtor, or otherwise, if the Tenant vouch to warrantie, and the demaundant counterpleadeth him, and will averre by Assise, and by the Countrey, or otherwise, as the Court will award, that the Tenant, or his aunceſtor (whose heire he is) was the first that entred after the death of him whose seisin he demandeth, the averrement of the demandant shall be received, if the tenant will abide thereupon, and if not, he shall be further compelled to an other answere. And in a writ of Right, if the tenant vouch to warrantie, and the demaundant will counterplead him, and be readie to averre by the Countrey, that he that is vouched, nor his aunceſtors, had never seisin of the land or tenement demaunded, fée or service by the hands of the Tenant, or his aunceſtors, since the time of him of whose seisin the demaundant declareth, vntill the time that the writ was purchased, and the plea moued, whereby he might haue infeoffed the tenant, or his aunceſtors, then shal the averrement of the demandant be received, if the tenant will abide thereupon, and if not, the tenant shall be further compelled to an other aunswere. Weſt. 1. 3. E. 1. 39. And whatsoever tenant do vouch, and the demandant will averre in forme aforesaid, his averrement shall be admitted, whether the party vouched be absent or present, without any respect had thereunto. An 20. E. 1. Stat. de vocatis ad warrantum.

Counterpleading of voucher.

Voucher in a writ of Right.

3 In all writs of Entre, which make mention of degrées, none shall vouch out of the Line, or in other writs of Entre, where no mention is made of degrées, which writs shall not be maintained but in cases where the other writs of degrée cannot lie, nor hold place. An 3. E. 1. 39.

Voucher in writs of Entre.

4 If percase the Tenant hath a deed that compriseth warrantie of an other man which is bound in none of the cases aforesaid, to warrantie of an elder degrée, his recouerie shall be saued vnto him by a writ of Warrantia chartæ out of the Chaunceriе, when he will purchase it, but the plea shall not be delayed therefore. Weſt. 1. 3. E. 1. 39.

Warrantia chartæ.

5 If the Tenant will vouch to warrantie a dead man, and the demaundants will averre that the vouchée is dead, or that there is none such, their averrement shall be received without more delay. 14. E. 3. 18.

Voucher of a dead man.

6 If one being impleaded in the Citie of London, do vouch a forrein to warrantie, the Maior, and the Bailifes, shall adiourne the parties before the Justices of the Bench at a certaine day, and shall send their record thither, and the Justices shall cause the warrantor to be summoned before them, & shall trie the warrantie. And the Maior and the Bailifes shall surcease in the meane time in the matter that dependeth before them by writ, vntill such time as the warrantie be determined before the Justices of the Bench: And when the matter shall be determined, commaundement shal be giuen to the vouchée to depart vnto the Citie, and to aunswere vnto the first plea, and the demandant at his suit shall haue a writ from the Justices of the Bench, vnto the Maior and Bailifes, that they shall proceed in the plea: And if the demandant recouer, the tenant shall come to the Justices of the Bench, and haue a writ to the Maior and Bailifes, that in case the Tenant haue lost his land, they shall cause it to be extended, and returne the same extent vnto the Bench at a certaine day, and after it shall be commaunded to the Shiriffs of the

One impleaded in London, doth vouch a forrein.

Shire where the warrantée was summoned, that he shal cause the Tenant to haue of the lands of the warrantor to the like value. And if it fortune that the Tenant make default, at the day that is assigned him in the Bench, then shal there go forth a writ from the Iust. of the Bench, to the Maior and Bailifes to seise the land demanded into the K. hands by Petite Cape, and to summon the Tenant, that he be at the Yustings at a certaine day, whereat the Iustices shall be aduised to giue Iudgement vpon the same default, if he cannot saue it: And if he can saue it, then the Iust. shall be certified thereof by their record, and by the same record they shall plead the warrantie. Glouceſtr, 6. E. 1. 12. Añ 9. E. 1. Articul. Stat. Glouceſtr.

Day giuen to him that is vouched.

7 None being vouched to warrantie before the K. Iust. in plea of land or tenement shall be amerced, because he was not present when he was vouched to warrantie, except the first day of the comming of the same Iustices. But if he that is vouched to warranty be within the County, the Shirife shalbe commanded that he shall cause him to appeare within the third or fourth day, according to the distance of the places, as the Iust. in Eire haue vsed to do. And if he do remaine out of the Countie, then he shall haue a reasonable summons of xv. dayes at the least, according to the Iust. discretion, & the Common Law. Marlb. 52. H. 3. 26.

1 Where the Feoffor may be vouched, by reason of these words, *Dedi & Conceſſi* in his deed, S. Warrantie.

Vpholsters.

What stuffe shall be put in fetherbeds, bolsters, pillowes.

NO person shall make, to the intent to sell, or offer to be sold, any Fetherbed, Bolster, or Pillow, except the same be stuffed with drie pulled Fethers, or cleane Downe onely, without mingling of scalded fethers, fen downe, thistle downe, sand, lyme, grauell, vnlawfull or corrupt stuffe, haire, or any other, vpon paine of forf. of all such fetherbeds, bolsters, & pillowes, and euery of them so offered to be sold, or the value thereof to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

What stuffe shal be put in quilts, mattresses, cushions.

2 No person shall make, to the intent to sell, or offer, or put to sale, any Quilt, Mattresse, or Cushions, which shall be stuffed with any other stuffe then fethers, woll, or flockes alone, vpon paine of forfeiture of all and euery such Quilts, Mattresses, or Cushions, so sold, or offered to be sold, or the value thereof, to the King and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

Vses.

The estate in possession conueyed to him that hath the vse.

WHere any person or persons, be, or shall be seised, of, and in any manors, lands, tenements, rents, seruices, reuersions, remainders, or other hereditaments, to the vse, confidence, or trust of any other person or persons, or of any body politike, by reason of any bargaine, sale, feoffement, fine, recouerie, couenant, contract, agreement, will, or otherwise, by any meanes whatsoeuer: In euery such case, euery such person and bodie politique, that haue, or shall haue any such vse, confidence, or trust, in fee simple, fee taile, for terme of life, yeares, or otherwise, or any vse, confidence, or trust, in remainder, or reuerter, shall stand & be adiudged in lawfull seisin, estate, and possession, of, and in the same lands, &c. & hereditaments with their appurtenances, to all intents, of, & in such like estates, as they had, or shall haue in vse, trust, or confidence, of, or in the same. And the estate, title, right, & possession that was in them that were, or shall be seised of any lands, tenements, or hereditaments, to the vse, confidence, or trust of any other, shal be adiudged to be in him, or them, that haue, or shall haue such vse &c. after such maner and condition,

as

as they had beſoꝛe, in oꝛ to the vſe &c. that was in them. 27. H. 8. 10.

2 Where diuers perſons be, oꝛ ſhall be iointly ſeiſed of and in any lands, tenements, rents, reuerſions, remainders, oꝛ other hereditamẽts, to the vſe, confidence, oꝛ truſt of any of them, that be ſo iointly ſeiſed, then he oꝛ they which haue oꝛ ſhall haue any ſuch vſe &c. ſhall haue onely to him oꝛ them ſuch eſtate, poſſeſſion and ſeiſin, of, and in the ſame lands, oꝛ other hereditaments in like manner, condition & courſe, as he oꝛ they had beſoꝛe in the vſe of the ſame lands &c. 27. H. 8. 10. Aſſurance made to diuers to the vſe of one of them.

3 Sauing to all and ſingular perſons, and bodies politike, their heires and ſucceſſoꝛs (other then thoſe which be oꝛ ſhall be ſeiſed of any lands, &c. to any vſe) all ſuch right, title, entre, intereſt, poſſeſſion, rents, and action, as they, oꝛ any of them had, oꝛ might haue had beſoꝛe the making of this act: And alſo ſauing to all and ſinguler thoſe perſons, and to their heires, which be, oꝛ ſhall be ſeiſed to any vſe, all ſuch foꝛmer rights, titles, intereſt, poſſeſſion, rents, cuſtoms, ſeruices, and actions, as, any of them might haue had to his owne vſe, in oꝛ to any manoꝛs, lands, tenements, rents, oꝛ hereditaments, whereof they be oꝛ ſhall be ſeiſed to any other vſe, as if this Act had neuer bẽn made. 27. H. 8. 10. Sauing of others mens right.

4 Where diuers perſons be ſeiſed of, and in any lands, tenements, oꝛ hereditaments, in fee ſimple, oꝛ otherwiſe, to the vſe oꝛ intent, that ſome other perſon oꝛ perſons ſhall haue yearely to him oꝛ them, and to his oꝛ their heires one annuall rent out of the ſame lands &c. and ſome other one other annuall rent to him and his aſſignes foꝛ terme of life, yeares, oꝛ foꝛ ſome other ſpeciall time, accoꝛding to ſuch vſe as hath bẽn heretofoꝛe declared: in euerie ſuch caſe the ſame perſons, their heirs and aſſignes that haue ſuch vſe, and intereſt to haue any ſuch annuall rents out of ſuch lands, &c. ſhall be adiudged to be in poſſeſſion of the ſame rent, of and in ſuch like eſtate, as they had in the title, intereſt, oꝛ vſe of the ſaid rent, oꝛ pꝛofit, and as if a ſufficient graunt, oꝛ lawful conueyance, had bẽn made and executed to them by ſuch as were oꝛ ſhall be ſeiſed to the vſe of any ſuch rent: And all ſuch perſon and perſons, as haue, oꝛ hereafter ſhall haue any title, vſe, and intereſt, in oꝛ to any ſuch rent oꝛ pꝛofit, ſhall lawfully diſtraine foꝛ nonpayment of the ſame rent, and in their one names make anoꝛzies, oꝛ by their bailifes, oꝛ ſeruants, make cognizances and iuſtifications, and haue all other ſuits, entries, and remedies foꝛ the rents, as if the ſame rents had bẽn actually and really granted to them with ſufficient clauſes of diſtres, reentrie, oꝛ otherwiſe accoꝛding to ſuch conditions, paines, oꝛ other things appointed vpon the truſt and intent foꝛ paiment, oꝛ ſuertie of ſuch rent. 27. H. 8. 10. V. Dier fol. 362. Land aſſured to the vſe that rent ſhould be paid out of the ſame.

Vſurie.

NO perſon oꝛ perſons, of what eſtate oꝛ degree ſoeuer he oꝛ they be, ſhall by himſelfe, facto, atturney, ſeruant, oꝛ deputie, ſell his marchandizes oꝛ wares, to any perſon oꝛ perſons, and within three moneths next after by himſelfe, facto, atturney, deputy, oꝛ by any other to his vſe, buy the ſame marchandizes oꝛ wares, oꝛ any parcell thereof, vpon a leſſer pꝛice, knowing them to be the ſame, that he beſoꝛe did ſo bargaine oꝛ ſell, vpon the paines & foꝛf. hereafter limitted in this ſtatute. 37. H. 8. 9. Selling of wares & buying them againe.

2 No perſon oꝛ perſons of what eſtate &c. by way of any coꝛrupt bargaine, lone, exchange, cheuiſance, ſhift, intereſt of any wares, marchandizes, oꝛ other things whatſoeuer, oꝛ by any other coꝛrupt oꝛ deceitfull way, oꝛ meane, oꝛ by any couin, engine, oꝛ deceitfull way of conueyance, ſhal haue, receiue, oꝛ take lucre oꝛ gaines, foꝛ the foꝛbearing oꝛ giuing day of payment of one whole yeare, of, and foꝛ his money oꝛ other thing that ſhall be due foꝛ the ſame wares, marchandizes, oꝛ other things aboue x. l. in the C. and ſo after the rate & not aboue, of, & foꝛ a moze oꝛ leſſe ſumme No man ſhall take aboue x. l. foꝛ the foꝛbearing of C. l. foꝛ one yeare.

ſumme, or for longer or ſhorter time, & no more greater gaine or ſumme thereupon to be had: vpon the paines & forf. hereafter limitted &c. 37. H. 8. 9.

None ſhall take aboue x. li. for the forbearing of C. li. for a yeare vpon ſale or mortgage of lands.

3 If any perſon or perſons doe bargaine & ſell, or lay to mortgage by any waies, or meanes, any manors, lands, tenements, or hereditaments to any other vpon condition of payment or non-payment of any ſumme or ſummes of money to be made at any day certaine, or before any ſuch day, by him that ſhall ſo bargaine, ſell, or lay to mortgage the ſame lands, &c. the ſame perſon or perſons to whom any ſuch lands, &c. ſhall be ſo bargained, ſold, or laid to mortgage, ſhall not by reaſon thereof, haue, ne take in lucre, or gaines of the iſſues, reuenues, & profits of the ſame lands, &c. aboue x. li. in the C. for one whole yeare, and ſo after the rate aboueſaid, for a more or leſſer ſumme, for a longer or ſhorter time, and no more, or otherwiſe, vpon the paines and forfeitures hereafter limitted. 37. H. 8. 9.

The forf. of the offenders in the premiſſes.

4 If any perſon or perſons ſhal do any act, or thing, contrary to the tenor, forme, & effect of this ſtatute, or any clauſe, article, or ſentence contained in the ſame, then all and euerie offendor and offendors therein, or in any part thereof, ſhall forfeit for euery ſuch offence the treble value of the wares, marchandizes, and other thing or things ſo bargained, ſold, changed or ſhifted, and the treble value of the iſſues and profits of the ſaid lands, tenements, and hereditaments, ſo taken, had, or receiued by reaſon of any ſuch bargaine, ſale, or mortgage, to the King and I. to be recouered by A. I. &c. wherein no W. E. P. &c. And alſo ſhall ſuffer impriſonment of his body, & make fine & ranſome at the Kings pleaſure. 37. H. 8. 9.

To theſe bands and aſſurances the Stat. extendeth not.

5 But this Act ſhall not extend to any lawfull Obligation, endorſed with a condition, nor to any Statute or Recogniſance made for the payment of a leſſe ſumme, ſo that the ſame be made for a true, iuſt, and a perfect debt, or for the performance of any other true couenants made betweene the parties, other then in caſes of vſurie, intereſt, corrupt bargaines, ſhift, or cheuiſance: Ne yet ſhall extend to any recouerie, fine, feoffement, releaſe, confirmation, or graunt made vpon condition with a true intent, other then to ſuch as ſhalbe made vpon condition, extending to vſurie, intereſt, corrupt bargaines, ſhifts, or cheuiſance: Any thing in this act contained, or any other ſtatute &c. 37. H. 8. 9.

All aſſurances whereby aboue x. li. in the C. li. ſhalbe reſerued are void.

6 All bands, contracts, and aſſurances collaterall, or other, to be made for payment of any principall, or money to be lent or couenant to be performed, vpon, or for any vſurie in lending or doing of any thing againſt the ſaid act of 37. H. 8. vpon or by which loane, or doing, there ſhalbe reſerued or taken aboue the rate of x. li. for the C. for one yeare, ſhall be vtterly void, and the ſame ſtatute of 37. H. 8. ſhalbe moſt largely & ſtrongly conſtrued for the repreſſing of vſurie, & againſt all perſons that ſhall offend againſt the true meaning of the ſaid ſtatute, by any way or deuiſe directly, or indirectly. 13. Eliz. 8. 39. Eliz. 18.

Brokers, ſolicitors, and driuers of bargaines.

7 All Brokers, Sollicitors, and driuers of bargaines, for contracts, or other doings againſt the ſaid Statute 37. H. 8. whereupon ſhall be reſerued or taken more then after the rate of x. li. for the loane of C. li. for a yeare, ſhall be to all intents iudged, puniſhed, and vſed as counſellors, atturnies, or aduocated, in any caſe of Præmunire. An. 13. El. 8. 39. El. 18.

He that taketh x. li. or leſſe in the C. ſhall forfeit the intereſt onely.

8 All vſurie, loane, and forbearing of money, or giuing daies for forbearing of money, by way of loane, cheuiſance, ſhifts, ſale of wares, contract, or other doings whatſoeuer, for gaine, mentioned in the ſaid Statute of 37. H. 8. whereupon is not reſerued or taken, or couenanted to be reſerued, paied, or giuen to the lender, contractor, ſhifter, forbearer, or deliuerer, aboue the ſumme of x. pounds for the loane, or forbearing of 100. li. for one yeare, or after the rate, for a more or leſſer ſum or time, ſhall be puniſhed in forme following, viz. euery ſuch offendor againſt this braunch of this preſent ſtatute, ſhall forfeit ſo much as ſhall be reſerued by way of Vſurie aboue the principall, for any money ſo to be lent, or forborne:

all

all ſuch forfeitures to be recouered and employed, as is limitted for forfeitures by the ſaid former Statute of 37. H.8. And euery perſon offending in vſurie, ſhifts, or cheuiſance againſt this Act, and not taking but onely after the rate of x.l. in the C. or vnder for a yeare, ſhall be onely puniſhed by the paines and forfeitures prouided by this act againſt ſuch as ſhall not take aboue the rate of x.l. in the C. for a yeare, and not other wiſe. 13. El. 8. 39. El. 18. S. Iuſt. of P. 91.

9 If any perſon ſhall offend contrary to the ſaid ſtat. of 37. H.8. then he ſhall and may alſo be puniſhed, according to the Eccleſiaſticall lawes heretofore made againſt Vſurie. 13. El. 8. 39. El. 18. *Puniſhment by the eccleſiaſticall law.*

10 This ſtatute doth not extend vnto any allowances for the finding of Orphanes, according to the auncient cuſtomes of the citie of London, or any other Citie, where like order is for the cuſtody of Orphanes & their goods, as in the ſaid Citie. 13. El. 8. 39. El. 18. *Orphanes.*

Wager of Law.

NO Bailife ſhall put any many in his open law, nor to his oath, vpon his owne bare report, without lawfull witneſſes brought in for the ſame. Mag. Chart. 9. H. 3. 28. *He that wageth his law, muſt bring others to ſwcare with him.*

2 If any perſon be grieued or attached by his body in London by any of the ſame Citie, ſurmiſing the defendant to be his debtor, & that he wil proue by his papers, hauing neither deed nor taile, in this caſe the defendant ſhalbe receiued to his law, by people of his owne condition againſt ſuch papers, & the creditor ſhall take ſurety by ſome other way, if he will, without putting the party to plead to an enqueſt, if he will not of his owne good will. 38. Ed. 3. 5. *A man may wage his law againſt Lōdoners papers.*

3 In an action of debt brought vpon the arrerages of account, the Juſtices of the Kings Court and other Juſtices before whom ſuch ſuites and actions ſhall be in cities and boroughes ſued and taken, haue power to examine the Atturneyes, and other whom it pleaſe them, and thereupon to receiue the defendants to their law, or to trie the matter by enqueſt, according to the diſcretion of the ſame Juſtices and Judges. 5. H. 4. 8. *Wager of law in debt vpon the arrerages of account.*

Wales.

THe Kings countrey or dominion of Wales ſhall ſtand and continue for euer incorporated, vnited, & annexed, to and with this realme of England: & all and ſingular perſon and perſons borne & to be borne in the ſaid principalitie, countrie, or dominion of Wales, ſhall haue, enioy & inherit all & ſingular freedoms, liberties, rights, priuiledges, and lawes, within this realme, and other the K. dominions, as other the K. ſubiects naturally borne within the ſame, haue, enioy, and inherit, and the lawes, ordinances, and ſtat. of this realme of England for euer, and none other ſhall be had, vſed, practiſed, and executed in the ſaid countrey or dominion of Wales, and euery part thereof, in like manner, forme, & order, as they be & ſhall be in this realme, & in ſuch like maner & forme as hereafter ſhall be further eſtabliſhed and ordained. 27. H. 8. 26. *Wales annexed to England.* *Engliſh lawes vſed in Wales*

2 The K. dominion, principalitie, and countrey of Wales is diuided into ſhires, of the which 8. haue been Shires of long and auncient time, viz. Glamorgan, Carmarthen, Pembroke, Cardigan, Flint, Carnaruan, Angleſey, and Merioneth: And 4. were newly ordained by the Stat. of 27. H. 8. 26. viz. Radnor, Brecknock, Mountgomery, & Denbigh, ouer and beſide the ſhire of Monmouth, and diuers other Dominions, Lordſhips, and Manors in the marches of Wales, vnited & annexed to the Shires of Salop, Hereford, & Glouceſter, & ouer & beſides the *Wales diuided into ſhires and hundreds.*

the towne of Hauerford west, which is a countie in it selfe. And the limitations of hundreds made within the said Shires by vertue of the Commissions of K. H.8. directed out of his Court of Chauncerie, and againe returned into the same, shall stand in full strength and force, according to the said limitation, except such of the same, as sith that time hath been altered by vertue of any act of Parliament. 27. H.8.26. 34.H.8.

President and Counsel.

3 There shall be and remaine a President and Counsell in the said dominion and principalitie of Wales, & the Marches of the same, with all officers, clerkes, & incidents to the same, in maner & forme as hath been heretofore used, which President & Counsel shal haue authority to heare & determine by their discretions, such causes & matters as be or hereafter shall be assigned to them by the K. &c. as heretofore hath bin vsed. 34.H.8.

Sessions twice in the yeare.

4 There shall be kept Sessions twice in euery yeare in euery of the said shires, in the said dominion and principalitie of Wales, the which Sessions shall be called the K. great Sessions in Wales. The Iustice of Chester for the time being shall hold and kepe Sessions twice in euery yeare in the Shires of Denbigh, Flint, and Mountgomery, and haue nothing but his old fee of C.l, yearely for the same. The Iustices of Northwales shall in likewise hold & kepe Sessions twice euery yeare, in euery of the shires of Carnaruan, Merioneth, & Anglesey, and shall haue of the King a yearely fee of 50.l. for the same. One person learned in the Lawes of this Realme of England, by the King to be apointed, shall be Iustice of the Shires of Radnor, Brecknock, & Glamorgan, and shall in likewise hold and kepe Sessions twice in euery yeare, in euery of the same shires, & shall haue yerely of the King 50.l. for his fee. One other person learned in the Lawes of this realme, to be appointed, as is aforesaid, shall be Iustice of the shire of Carmarthen, Pembroke, and Cardigan, and of the Towne & countie of Hauerford west, & shall in likewise hold & kepe Sessions twice in euery yeare, in euerie of the same shires, and shall also haue yerely of the K. 50.l. for his fee. The said persons, or Iustices, and euery of them, shall haue seuerall letters patents & commissions for their offices, vnder the K. great seale of England, to be exercised by themselues, or their sufficient deputies, according to the purposes and intents in their ordinances specified. 34.H.8.

Denbigh. Flint. Mountgomery

Carnaruan. Merioneth. Anglesey

Radnor. Brecknock. Glamorgan.

Carmarthen. Pembroke. Cardigan.

Hauerford.

The Iustices commissions vnder the great seale.

The Q. may appoint two Iustices for euery circuit, or grant association.

5 The Quéene, her heires, & successors, may and shall at her or their pleasure constitute or appoint two or more learned, as is aforesaid, in the laws of this realm to be Iustices of and for the said Counties of Chester, Flint, Denbigh, & Mountgomery, and two or more learned &c. to be Iustices of Northwales, viz. of and for the said shires of Anglesey, Carnaruan, & Merioneth. And likewise two or more learned &c. to be Iustices of & for the said circuit & shires of Radnor, Glamorgan, and Brecknocke, and also two or more learned &c. to be Iustices of & for the said circuit & shires of Cardigan, Carmarthen, and Pembroke, and the towne & Countie of Hauerford west, any Law Statute, &c. notwithstanding. And her Maiestie, her heires and successors may and shall at her and their pleasure from time to time associate and graunt Commission and Commissions of association or associations, vnder the great Seale of England, to any person or persons learned, as aforesaid, to be associate to or with euery, or any seuerall Iustice or Iustices for the time being, of the said seuerall circuits and counties aforesaid, or in any of the said Counties. 18.Eliz.7.

Of what things Iustices may hold plee.

6 Euery of the said Iustices within the limits of their commissions and authorities to them appointed, as is aforesaid, shall hold all manner of plees of the Crowne, at and in the said Sessions, in as large and ample manner, as the Q. chiefe Iustice of England, and other the Quénes Iustices of the Kings Bench there, or any of them may doe in their places, or elsewhere, within the Realme of

Eng-

England. And alſo ſhall hold Pléas of Aſſiſes, and all other Pléas and actions reall, perſonall, and mixt, in as large and ample maner, as the M. chiefe Juſtice of the Common Pléas of England, and other Juſt. of the ſame Pléas, or any of them may do in the Realme of England. And euery of the ſaid Juſtices of Wales ſhall haue authoritie to inquire of all Treaſons, Murders, Felonies, Riots, routs, vnlawfull aſſemblies, extorcions, imbracerie, maintenance, retainers, concealements, contempts, and all other offences and euill dæds, of what natures, names, or qualities ſoeuer they be, done, committed, or perpetrated within the limits of their commiſſions and authorities, againſt the forme of the common Law of the realme of England, or of any ſtat. of the ſame, and to heare and determine the premiſſes, and euery of them, and generally to miniſter common Juſtice to all and ſingular the M. ſubiects, within the limits of their commiſſions and authorities, according to the lawes ſtatutes, and cuſtomes of the realme of England, & according to this preſent ordinance of 34. H. 8. And all and euerie ſuch two Juſtices or more, to be appointed by the Quæne, her heires & ſucceſſors (according to the ſtatute made 18. Eliz.) within euery of the ſaid ſeuerall circuits and counties. And alſo euery ſuch Juſtice or Juſtices together with ſuch perſon or perſons aſſociate, (if any ſuch aſſociation or aſſociations ſhall happen to be as aforeſaid) during ſuch aſſociation, and after ſuch aſſociation ended, or without ſuch aſſociation, ſuch Juſtice or Juſtices ſhall haue the like power and iuriſdiction, to all intents & effects, as any one Juſtice within any of the ſaid circuits or ſhires aforeſaid, now hath, or at any time heretofore had or ought to haue. And alſo ſhall haue like power and iuriſdiction to kæpe and hold the ſeuerall Seſſions aforeſaid twice in euery yeare in euerie of the ſaid Shires, within their ſeuerall circuits aforeſaid, and to heare, determine, order, award, adiudge, receiue, take knowledge of, and execute, all and ſingular cauſes, matters, plæs of aſſiſes, treaſons, murders, felonies, indictments, appeales of murder, felonie, and maimes, actions reals, perſonals, and mixt, ſuits, plaints, informations, quarrels, attaints, conſpiracies, Quare impedit, and all actions grounded vpon any Statute or Statutes, writs, proces, returnes, eſſoines, verdicts, iudgements, fines acknowledges, confeſſions, warrants, and executions actions, and acts whatſoeuer, and to do, performe, obſerue, accompliſh, and make all and euery other act and acts, matter and matters, thing and things whatſoeuer, in like, and in as ample, beneficiall, lawfull and effectuall manner and forme, to all conſtructions, qualities, intents, and purpoſes, as any of the now ſeuerall Juſtices, or any one of the now Juſtice or Juſtices within the ſame ſeuerall circuit or circuits, and Counties aforeſaid, may, ought, hath, or might lawfully doe by force of any Law, Vſage, or Statute, heretofore had, made, or vſed before the making of this act. And all and ſingular writs, proces, returnes, eſſoines, verdicts, iudgements, fines, recoueries, recogniſances, acknowledges, confeſſions, act and acts, thing and things, matter and matters, as aforeſaid, had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by or before any ſuch two Juſtices, or more, or any ſuch Juſtice or Juſtices, and aſſociate or aſſociates, as aforeſaid, to be appointed, nominated, authorized, or conſtituted, as aforeſaid, ſhall be allowed, taken, conſtrued, erpounded, & adiudged, as good, effectuall, & auaileable, to all intents, conſtructions, and purpoſes, as if the ſame had bin had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by, or before any ſuch one Juſtice, or one of the Juſtices, now, or late being Juſtice or Juſtices of the ſame circuit, or ſeuerall circuits aforeſaid: any Law, Vſage, Statute, &c. notwithſtanding. 18. Eliz. 7.

7 Euery of the ſaid Seſſions ſhall be kept and continued by the ſpace of fiue dayes in euery of the ſaid Shires, at either of the ſaid times, as is and hath bæn vſed within the ſaid three Shires of Northwales. And the ſaid Juſt. ſhall cauſe open

Seſſiõs kept fiue daies.

Proclamation xv. dayes before the Sessions.

open proclamations to be made in the Shire Townes, what time and place they purpose to kepe their said Sessions, fiftene dayes at the least before they kepe the same, to the intent the Kings subiects may haue knowledge thereof. 34. Hen.8.

Dayes in Court.

8 Dales shall be giuen in all plees, plaints, proces, and adiornements, from day to day, and Sessions to Sessions, by the discretion of the said Iustices within the limits of their authorities, for the good & spedie ministration of Iustice, to all and singular the K. subiects, as is or hath bin vsed in Northwales. And the issues taken before the said Iustices in plees personall, which cannot be tried before them in time of their great Sessions, for breuitie of time shall & may be tried at a pettie Sessions, before the Deputie Iustices there, as is & hath bin vsed in the 3. Shires of Northwales (except such of the said suites, as by the discretion of the said Iustices shall be thought necessarie, to be tried before themselues, within their limits.) 34.H.8.

Issues, Amerciaments

9 The King shall haue all fines, issues, amerciaments, and all forfeitures of recognisances lost, or forfeited, before any of the said Iustices in the Sessions aforesaid. And the Prenotaries within the limits of their offices, shall yearely extreat the same into the Exchequer appointed for their limit, to the intent that proces from thence may be awarded to the sheriffes, to leuie the same to the K. vse, as appertaineth, which sheriffes shall yearely make their accounts before the K. Auditors thereunto assigned. 34.H.8.

Originall Seales.

10 One originall Seale deuised by the King for Iustice to be ministred in the said three Shires of Northwales, viz. the Shire of Merioneth, Carnaruan, and Anglesey, shall be and remaine in the charge & custodie of the Chamberlain of Northwales. And one other originall Seale &c. for the said Shires of Carmarthen, Pembroke, and Cardigan, shall be and remaine in the charge & keping of the Chamberlaine of Southwales. And likewise one other originall Seale &c. for the said three Shires of Brecknocke, Radnor, and Glamorgan, shall be and remaine in the charge and custody of the Steward and Chamberlaine of Brecknocke. And also one other originall Seale &c. for the said Shires of Denbigh and Mountgomerie, shall be and remaine in the charge and custody of the Steward and Camberlaine of Denbigh. And the originall Seale of Chester, shall be and stand for the originall Seale of Flint, for Iustice to be ministred in the said Shire of Flint, and shall be and remaine in the charge, keping & custody of the Chamberlaine of Chester. 34.H.8.

What shall be sealed with the originall Seales.

11 The said Stewards and Chamberlaines shall seale with the said Seales, that is to say, euery one of them shal seale with the Seale to his charge committed, all manner of originall writs and processe, returnable before the said Iustices, at the Sessions to be holden in euery of the said shires, in maner and forme, as is aforesaid. And shall seuerally account and answere to the King for the profites of the same Seale. And none of the said Stewards, Chamberlaines, or Chauncellors, hauing the charge and keping of the said seales, shall by occasion thereof, or by colour of any of their offices, compell, or cause any person inhabiting within any of the said fiue shires, to appeare before themselues, or their deputies. Ne shal haue power to heare or determine any plees of the Crowne, nor other causes or matters of Iustice, otherwise then in this ordinance is limitted: But shall haue the charge and keping of the said seales, to seale all originall writs and processe, as shall be retornable before the said Iustices in their said Sessions, as is afore specified, and as hereafter shall be declared, which writs & proces shall be vsed, made, sealed, and returned in maner and form, as hath bèn vsed before the Iustices in Northwales. 34.H.8.

Proces against accomptants.

12 All such persons as be or shall be the Kings Stewards, Chamberlaines, or Chaun-

Chauncellors, within any of the said ry. Shires, which by reason of their said offices, haue charge for the receit, collection, or account, of, and for the Kings rents, reuenues, farmes, or profits, to be due to his Maiestie within the said dominion of Wales, may direct processe vnder the said Seale, being in their charge & custodie, within the limits of their authorities, only against Bailifes, Receues, Farmers, and other ministers accomptant, to appeare before themselues, to answere to, and for any the Kings reuenues, farmes, rents, or profits, and for none other causes, nor against any other person or persons, in like maner, as they haue been accustomed in that case to do. 34. H. 8.

13 Besides the said Originall Seales, there shal be 4. Judiciall Seales, deuised by the King, whereof one shall remaine with the Justice of Chester, which is appointed to be Justice of Flint, Denbigh, and Mountgomery, to be vsed within the said Shires, to seale all Judiciall proces, and Bils that shall be sued before the said Justices, in the Sessions to be holden within the same Shires. And one other of the said Judiciall seales, shall likewise remaine and be in the charge & custody of the said Justice of Northwales. And the third of the said Seales shal be & remaine in the custody and charge of the Justice of the three Shires of Glamorgan, Brecknocke, and Radnor. And the fourth of the said Seales shall remaine in the charge and custodie of the Justice of the said three Shires of Penbroke, Carmarthen, and Cardigan. And the said Justices shall seale with the said Judiciall Seales, viz. euery of them with the Seale committed to his charge & custodie, aswell all bils, as all other Judiciall proces, that shall be sued before them in the said Sessions, vpon any originall bils or writs. And all other proces that shall be awarded from any of the said Justices, shall be sealed with the said Judiciall Seale. 34. H. 8. 4. Judiciall Seales. What shall be sealed with the Judiciall seales.

14 Euery of the said Justices shall accompt and answere to the King for the profits of the said Seale, being in his charge and custodie, in maner and forme as hereafter shall be declared. 34. H. 8. Justices accompt for the profits of the seales.

15 The Teste of euery Bill and Judiciall proces, that shall passe vnder the said Judiciall Seale, shall be vnder the name of such of the said Justices, from whom such Bill or Judiciall proces shall passe, in like maner and forme, as is vsed in the Common Plees in England. 34. H. 8. Teste of Judiciall proces.

16 All Actions reall & mixt, Attaints, Conspiracies, Assises, & Quãre impedit, Appeales of Murder, and Felonie; and all actions grounded vpon any Statutes, shall be sued by Originall writs, to be obtained and sealed with the said Originall Seale, returnable before the said Justices at their Sessions, within the limits of their authorities, in maner & forme, as is before mentioned. 34. H. 8. Writs sealed with the Originall seale.

17 All maner of personall Actions, as debts, detinue, trespas, accompt, and such like, amounting to the summe of xl. shillings, or aboue, shall be sued by writs originall, to be obtained and sealed, as is aforesaid, or by Bils at the pleasure of the partie suing the same before the said Justices, within the limits of their authorities, as is vsed in Northwales. 34. H. 8. Personall actions of xl. s. or aboue.

18 All personall Actions, vnder the summe of xl. s̃. viz. debt, trespas, detinue, accompt, and such like, shall and may be sued before any of the said Justices in the said Sessions by Bill, as is vsed in Northwales: (But there shal no suit be taken before any of the said Justices, by Billl, vnder xx. s̃.) And euery Originall Bill concerning actions personals, shal be sealed with the Kings Judiciall Seale, being in the custodie of the said Justice, before whom such personall actions by bill shall be brought and commenced. 34. H. 8. Personall actions vnder xl. s̃. No suit before Justices vnder xx. s̃.

19 Such fees shall be paied for the writing and sealing of such Originall writs and bils, as hereafter shall be expressed, viz. for the sealing of euery originall writ to be sued, in, and vpon the causes aforesaid, and for euery Bill to be pursued in actions personals, whereof the debt and damages amounteth to the summe of xl. s̃. Fees for writing & sealing of originall writs & bils.

or above, the parties pursuing the same, shall pay for the sealing of every such writ or bill, vj. d. and for every Judiciall proces to be sued upon any such writ or bill, the parties pursuing such Judiciall proces, shall pay for the sealing thereof vy. d. whereof the King shall haue vj. d. And the Justice sealing such Judiciall proces shall haue j. d. And euery Bill in personall actions whereof the debt, dutie, or damage amounteth not to xl. s. And all maner Judiciall proces to be sued upon the same, shall also be sealed with the Kings said Judiciall seale, and the parties pursuing the same, shall pay for the seale of euery such bill, and Judiciall proces thereupon to be sued iij. d. whereof the king shall haue y. d. and the Justice sealing such proces, shall haue j. d. 34. H. 8.

Proces sealed with the Judiciall seale, and the fees.

20 All writs of Scire facias, and writs of good Abearing, or for the Peace, or writs of Supersedeas upon the same, & all other proces to be sued from the said Justices, upon any Record or suggestion admitted by any of the said Justices within the limits of their authorities, shall also be sealed with the said Judiciall seale, and the parties pursuing for the same, shall pay for the seale of euery such writ and proces vy. d. whereof the king shall haue vj. d. and the Justice by whom such proces shall be sealed one peny. And euery Exemplification upon any Record before any of the said Justices, shall be sealed with the kings Judiciall seale, and the parties pursuing the same, shall pay for the Seale thereof xx. d. whereof the king shal haue xvj. d. and the Justices sealing the same iij. d. 34. H. 8.

Exemplification.

Recoueries, Fines.

21 Recoueries, and Fines, Concords, and warrants of Atturney for the same, shall and may be taken before euery of the said Justices, of lands, tenements, and hereditaments, within his authoritie, by force of his generall Commission, without any writ of Dedimus potestatem to be sued for them, in like maner & forme, as is vsed to be taken before the Kings chiefe Justice of his Common Place in England. And all Fines leuied before any of the said Justices, with proclamation made in the same Sessions, that the said Fine shall be ingrossed, and two other great Sessions then next to be holden within the same Countrey, shall be of the same force and strength to all purposes, as Fines leuied with proclamation be of, that be leuied before the Justices of the Common Place in England. 34. H. 8.

Fines for writs of Entre, and Couenant.

22 Euery person suing writs of Entre in the Post, or writs of Couenant, or any other writs for any recouerie to be had by assent of parties, or otherwise, or for any Fine to be leuied, shall pay such fines to the Kings vse for the same, aswell fines Pro licentia concordandi, as all other maner of fines, as is vsed in the kings Chauncerie, or elsewhere in any of the kings Courts of England: Which Fines shall be paied to such persons as shall seale the Originall writs for that purpose, and they shall accompt for the same, in like forme, as they shal doe for the profits of the said Originall seale, as is aforesaid. 34. H. 8.

Kings Siluer.

23 The kings Siluer upon euery Fine to be leuied, shall be paied as is vsed in the Common Place of England, viz. y. s. which kings Siluer shall be paied to the Justice before whom such fine shal be leuied, whereof the king shall haue xx. d. and the Prenotarie entring the same shall haue ij. d. and the Justice before whom such fine shal be leuied other y. d. And the same Justice shall accompt for the kings part thereof, like as he shall for the profits of the kings Judiciall seale committed to his charge, in maner and forme as is aforesaid. 34. H. 8.

Error,

24 All Errors and Judgements before any of the said Justices at any time of the great Sessions, in plées reals, or mixt, shall be redressed by writ of Error to be sued out of the kings Chauncerie of England, returnable before the kings Justices of his Bench in England, as other writs of Error be in England. And all Errors in plées personals shal be reformed by Bils, to be sued before the said President & Councell of Wales, from time to time, as the partie grieued will sue for

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the ſame. And if in caſe the Judgement be affirmed good in any of the ſaid writs of Erroꝛ, oꝛ Bils, then there to make execution, and all other Proces thereupon, as is vſed in the K. Bench in England, & the purſuants in euery ſuch writ of Erroꝛ, oꝛ bill, ſhall pay like fées therefoꝛe, as is vſed in England. 34. H. 8.

25 No execution of any Judgement to be giuen in any baſe Court ſhall be ſtayed oꝛ deferred, by reaſon of any writ of Falſe iudgement, but execution ſhall and may be had & made, at all times befoꝛe the reuerſall of the ſaid Judgement, the purſuit of the ſaid writ notwithſtanding. And in caſe the ſaid Judgement happen after to be reuerſed, then the party purſuant ſhal be reſtoꝛed to all that he hath loſt, by the ſaid Judgement, accoꝛding to Lawes of this Realme. 34. H. 8. Falſe Judgement.

26 All Proces foꝛ vrgent and weighty cauſes, ſhall be made and directed into Wales, by the ſpeciall commaundement of the Chauncelloꝛ of England foꝛ the time being, oꝛ any of the kings Councell in England, as hath béen vſed: any thing in this Act &c. notwithſtanding. 34. H. 8. Weighty cauſes.

27 There ſhall be foure Prenotaries foꝛ the making of all Judiciall proces, and foꝛ the entring of all Plées, Proces, and matters of Recoꝛd in the Seſſions, to be holden befoꝛe the ſaid Juſtices, whereof one of the ſaid Prenotaries ſhal attend vpon the ſaid Juſtice appointed foꝛ the thꝛée Shires of Noꝛthwales. And one other ſhall attend vpon the Juſtice aſſigned foꝛ the thꝛée Shires of Flint, Denbigh, and Mountgomery. And the third ſhall attend vpon the Juſtice aſſigned foꝛ the thꝛée Shires of Carmarthen, Cardigan, and Penbꝛoke. And the fourth of the ſaid Prenotaries ſhall attend vpon the Juſtice aſſigned foꝛ the thꝛée Shires of Glamoꝛgan, Bꝛecknocke, and Radnoꝛ. And theſe fower Prenotaries, as often as their ſaid offices ſhall be void, ſhall be named and appointed by the king by Letters patents, vnder his great Seale of England. 34. H. 8. Prenotaries.

28 Euery of the ſaid Prenotaries within the limits of their offices, ſhall take ſuch fées, as hereafter be expꝛeſſed, viz. foꝛ the writing of Plées, and ingroſſing of writs of Entre in the Poſt, writs of Right, Quod ei deforceat, oꝛ any writs purſued by the aſſent of the parties, v. ſ. and if it be with a double Voucher, then vj. ſ. viij. d. and foꝛ the exemplification thereof ij. ſ. and foꝛ the ingroſſing of fines, to haue foꝛ euery fine iij. ſ. iiij. d. and if it be with pꝛoclamations, then iiij. ſ. Item foꝛ euery Bill of debt, Detinue, Treſpas, and all other actions perſonals ſued befoꝛe the ſaid Juſtices in their circuits vnder the ſumme of xl. ſ. the Prenotaries ſhall haue foꝛ the firſt bill iiij. d. foꝛ the ſecond bill iiij. d. and foꝛ the third bill iiij. d. And foꝛ the entrie of euery Declaration, Plée in barre, Replication, and Reioinder, in, and vpon euery ſuch actions, ſo that he do inroll the ſame in parchment iiij. d. And foꝛ euery Venire facias, Tales, Habeas corpora, Diſtring. in the ſame actions iiij. d. and foꝛ the Judgement iiij. d. and foꝛ euery writ of Execution, in euery ſuch action vj. d. and foꝛ euery warrant of Atturney in euery ſuch action, aſwell foꝛ the plaintifes, as foꝛ the defendants, iiij. d. Item in all actions of detinue, treſpas, and all other actions perſonall, wherein the dutie, debt, oꝛ damage amounteth to the ſumme of xl. ſ. oꝛ aboue, which ſhall be ſued by bils befoꝛe the ſaid Juſtices, the Prenotarie ſhall haue foꝛ the firſt bill iiij. d. foꝛ the ſecond bill iiij. d. and foꝛ the third bill iiij. d. And foꝛ euery Declaration, Anſwere, Replication, and Reioinder, if it be to be inrolled in parchment viij. d. and foꝛ the Venire facias, Tales, Habeas corpora, and Diſtring. foꝛ euery of them vj. d. foꝛ the Judgement viij. d. and foꝛ the warrant of Atturney iij. d. and foꝛ euery writ of Execution vpon the iudgement in ſuch bils vj. d. Item in Oꝛiginall writs ſued vpon euery action perſonall, returnable befoꝛe the ſaid Juſtices, the Prenotaries ſhall haue foꝛ euery Iterum ſummõ vj. d. foꝛ euery Diſtres in treſpas vj. d. and foꝛ the Declaration viij. d. foꝛ the anſwere, replication, and reioinder, foꝛ euery of them, if they be inrolled and ingroſſed, as is aboueſaid, xij. d. foꝛ the Venire facias, Tales, Habeas Prenotaries fées.

Habeas corpora, and Diſtring. for euery of them vj. ð. and the Prenotaries ſhall haue for the entrie of the Iudgements in euery ſuch action ry. ð. and for euery writ of Execution ſued vpon the ſame vj. ð. and for the exemplification of euery record in any of the ſaid actions y. s. for euery warrant of Atturney iiy. ð. In all actions reals and mixt, Aſſiſes, Quare impedit, Appeales of felonies, Murder, or Maihem, the Prenotarie to haue for the declaration or plaint ij. s. and for the plee in barre, replication, reioinder, ſurreioinder, for euery of them, if they be inrolled as is aforeſaid, rr. ð. and for the writing of euery Venire facias, Tales, Habeas corpora, and Diſtring. vpon the ſame, for euery of them vj. ð. and for the entrie of the iudgement in euery of the ſaid actions and appeales y. s. and for the writing of the writs of execution made vpon euery of the ſaid actions, appeales, and Aſſiſes, ry. ð. and for writs of Graund Cape, and Petit Cape, and writs of View, writs vpon Voucher, and all other writs, in euery ſuch action or actions, ry. ð. and for euery warrant of Atturney for the defendants, or for the demandants, or plaintifes, in euery ſuch action reall, aſſiſe, appeal, & Quare impedit, iiy. ð. And for the Eſſoines in euery ſuch action iiy. ð. and for the adiournement y. ð. and for the baile of euery perſon of felony ry. ð. and for the baile for treſpas vj. ð. and for the apparance and bayling of common mainprize ij. ð. Item for writing of writs for the Peace and good Abearing, graunted by any of the ſaid Iuſtices in their Seſſions, vj. ð. and for the entring of euery Recogniſance, to be had and taken before the ſaid Iuſtices, for euery cauſe or cauſes, other then before is expreſſed, rij. ð. and if it be with condition, then y. s. and vpon euery acquitall and deliuerance of Felons or Murderers by verdict, or by allowance of pardon, the Prenotaries ſhall haue y. s. and if it be vpon Indictments certified from the Iuſtices of peace, before the Iuſtices of the great Seſſions, the Clerke of the peace ſhall haue alſo rij. ð. and vpon deliuerie of any ſuſpect of felony or murder by proclamation, the ſaid Prenotary ſhall haue ry. ð. 34. H. 8.

Marſhall, Crier.

29 There ſhall be a Marſhall and a Crier in euery of the circuits and limits allotted to the ſaid Iuſtices, which ſhall be named by the ſaid Iuſtices within the limits of their authoritie and commiſſion, in like maner and forme, as Iuſtices of Aſſiſe do in England: and the ſaid Officers ſhall attend vpon the ſaid Iuſtices in their circuits in their owne proper perſons, and not by their deputies, and the Marſhall ſhall haue vpon euery Iudgement, and vpon enery Fine iiy. ð. and the Crier j. ð. and vpon the acquitals of Felons, and of them that ſhall be deliuered by proclamation, or deliuered out of common mainprize, before any of the ſaid Iuſtices, the Marſhall ſhal haue iiy. ð. and the Crier a peny. 34. H. 8.

Iuſtices of Peace.

30 Ouer and beſides the ſaid Preſident, and the Councell, and Iuſtices, there ſhall be Iuſtices of peace and Quorum, and one Cuſtos Rotulorum, in euery of the ſaid ry. Shires. And the ſaid Iuſtices of Peace, Iuſtices of Quorum, and Cuſtos Rotulorum, in the ſaid Shires, ſhall be named & appointed by the Chauncellor of England, by Commiſſion vnder the great Seale of England, by the aduiſe of the Preſident, Councell, and Iuſtices aforeſaid, or three of them, of the which the ſaid Preſident to be one, from time to time, as the caſe ſhall require. And there ſhall not exceed the number of viy. Iuſtices of the Peace, in any of the ſaid Shires, ouer and beſides the Preſident, Councell, and Iuſtices aforeſaid, and the Kings Attourney, and Soliciter: which Preſident, Councell, Iuſtices, and the King Attourney, & Soliciter, ſhall be put in euery Commiſſion of peace, in euery of the ſaid ry. Shires. 34. H. 8.

What perſons may be Iuſtices of Peace.

31 Such perſons as ſhall be named to be Iuſtices of Peace within euery of the ſaid Shires, ſhal be of good name and fame, and after they be aſſigned by Commiſſion, may vſe and exerciſe the office of the Iuſtice of peace, albeit they may not diſpend rr. li. nor be learned in the Lawes of the land, without any loſſe,

damage,

damage, or penalties, for insufficiency of their lands. And euery of the said Iustices of peace, before they shall execute the Commission, shall take their Oathes before the Chauncellor of England, or else before the said President, or one of the said Iustices in Wales, by vertue of the kings writ of Dedimus potestatem, or before any other person to be limitted by the Lord Chauncellor of England for that purpose, the contents of which oath shall be after the forme, as Iustices of peace in England vse to make. 34. H. 8. S. Iustices of peace 4. Their Oaths.

32 The said Iustices of peace, or two of them at the least, whereof one to be of the Quorum, shall and may keepe their Sessions within the limits of their commissions foure times in the yeare, and at other times vpon vrgent causes, as Iustices of peace in England vse to do, and shall haue like power & authoritie in all things, and fees of the king for the time of their sitting, aswell for themselues, as for their Clerkes, and shall be bound to vse, and to do their offices, in like maner as is vsed in England. 34. H. 8. S. Iustices of peace 5. 6. Quarter Sessions.

33 No Iustices of peace, Clerke of the peace, nor other Clerke of any Iustices of peace in Wales, shall take for the writing of any warrant of the peace, or good abearing, aboue vj. d. and for the entring of Pledges or Bozowes to pay the kings fine vpon any Indictment ir. d. and if it be with protestation, then to take ry. d. for a Supersedeas not aboue viij. d. and for a Recognisance ry. d. 34. H. 8. Fées of the Iustices, and Clerkes of the peace.

34 All the said Iustices of peace shall certifie all Recognisances taken before any of them for the peace, or good abearing, into their Sessions next to be holden after the taking thereof. And Recognisance taken before any of them for suspicions of any maner of Felony, shall be certified before the Iustices in the great Sessions next to be holden after the taking thereof, without concealment, detayning, or imbezilling of the same, vpon such penalties and dangers, as be therefore ordained & established. 34. H. 8. S. Iustices of peace 106. 107. Certificat of Recognisance.

35 All fines and amerciaments before the said Iustices of peace to be lost, shall be tared and afferred by two Iustices of peace at the least, whereof one to be of the Quorum, and all such fines and amerciaments shall be set truely and duely, according to the quantitie of the offences, without parcialitie or affection. And the said fines and amerciaments, and also all issues lost before the said Iustices of peace, and all forfaitures of Recognisances, and other forfaitures before the same Iustices, shall be yearely extreated by the Clerks of the peace into the Exchequer, appointed for that limit, to the intent that proces may from thence be awarded for the leuying of the same forfaiture and summes of money to the Kings vse, to the Shirife of euery Countie, as shall appertaine, who shall make thereof their accompts before such Auditors, as thereunto shall be assigned, so that the king may thereof be duely and truely answered and satisfied, which Auditors shall make due allowance to the same Shirifes for the fées of the Iustices and Clerkes of the peace vpon their said accompts, as is vsed in England. 34. H. 8. S. Iustices of peace 7. Afferment of fines, & amerciaments. Fines, forfaitures, & emerciaments extreated. Iustices and Clerkes fees.

36 There shall be Shirifes in euery of the said Shires yearely appointed by the King, and none of the said Shirifes shall haue their office of Shirifewicke any longer time then is vsed by the Lawes and Statutes of England: And for the yearely nomination of the said Shirifes, the said Lord President, Councell, and Iustices of Wales, or three of them at the least, whereof the said President to be one, shall yearely nominate three substantiall persons in euery of the said ry. Shires, to be Shirifes of the same, and shall certifie their names to the Lords of the kings Councell, attending vpon his graces person, Craſtino Animarum, to the intent the king being thereof aduertised, may appoint one of them in euery of the said Shires, to be Shirife for the yeare after, at his pleasure, like as his Shirifes.

Their Patents.

Othes.

Highnesse doth for his Realme of England, and thereupon the said Shirifes shall haue their Patents and Commissions vnder the great Seale of England, as Shirifes of England haue. And shall make and take othes, and knowledges of Recognisance before the President & Justices, or one of them, by vertue of the kings writ of Dedimus potestatē, to be directed for the same, for the due execution of their Offices, and for their iust and true accompts, before the kings Auditor or Auditors assigned for Wales. 34.H.8. S. Shirifes 4.

The Shirifes authoritie.

37 Euery of the said Shirifes shall haue full authoritie within the limits of their Shirifwikes, to do and vse their offices as Shirifes in England, and shall accomplish and execute without any fauor, dread, or corruption, all maner of writs, proces, iudgements, and executions, & all common Justice appertayning to their Offices of Shirifes, and all lawfull commandements & precepts of the said President, Councell, and Justices of Wales, and also of the Justices of the Peace, Escheators, and Coroners, and euery of them, in all things appertayning to their offices & authoritie. And the said Shirifes shall doe, and be bound to doe all and euery other thing and things for the ministration of Justice, and for the conseruation of the Kings Peace, and the apprehension and repelle of Traitors, Murderers, Theeues, Felons, and other offendors, as Shirifes of England do vse, and be bound to do within the Realme of England. 34.H.8.

Shirifes accompt before Auditors.

38 The said Shirifes shall yearely accompt before such the kings Auditor or Auditors, as shall be assigned by the king for his said Dominion of Wales. And euery of the said Shirifes shall haue yearely for his fee v. li. 34. H.8.

The Shirifes fee.

Gaoles.

39 Euery of the said Shirifes shall haue a Gaole for Prisoners within some conuenient place of the Castle of the Shire Towne where he is Shirife, or in such other conuenient place, as by the said President, Councell, and Justices, or three of them (whereof the said President to be one) shall be appointed. 34.H.8.

County courts.

40 The Shirifes Counties, or Shire Courts of the Countie of Brecknocke, shall be holden at Brecknocke: of Radnor, at New Radnor and Preston: of Mountgomery, at Mountgomery and Aghenleth: of Denbigh, at Denbigh and Wirrham: of Monmouth, at Monmouth and Newport, Alternis vicibus. 27. H. 8. 26.

County Courts kept monethly.

41 The Shirifes shall kepe their Counties monethly, and their hundred Courts for pleas vnder xl.s. as is vsed in England, and shall take for the entring of plaints, proces, pleas, & iudgements, in the said Shire Courts, and Hundreds, such small fees, as are vsed to be taken in Shires and Hundreds in England, and not aboue. 34.H. 8.

Trials before Shirifes, or Stewards.

42 All trials before them in their said Courts, or before any Stewards in Court Barons, shall be by wager of law, or verdict of vj. men, at the pleasure of the party plaintife or defendant that pleadeth the plea. 34.H.8.

Shirifes Turnes.

43 Euery of the said Shirifes shall kepe and hold their Turnes yearely after Easter, and Michaelmas, as they haue bēn vsed in England. And the King shall haue all forfaitures, fines, issues, & amerciaments, forfaited in any of the said counties, and Hundreds, Courts, and Turnes, to his owne vse, and the Shirife shall accompt for the same accordingly. And the Estreats of the said Turnes, Counties, and Hundreds, shall be viewed, & the fines, issues, and amerciaments, afferred by the Justices of Assises of that circuit, before the leuying of the same amerciaments, or other forfaitures: and no Shirife, or any of his officers shall presume to gather, or leuie any such amerciament, or other forfaiture, before the said Estreat be so afferred, vpon paine to forf. to the kings vse xl.s. 34.H.8.

Estreats afferred by the Justices of Assise.

Execution vpon a iudgemēt in the shirifes court.

44 The Shirife vpon euery Judgement had before him in his Countie, or hundred Court, in any plaint vnder xl.s. shall, and may award a Capias ad satisfaciendum, to arrest the partie condemned, or else a Fieri facias, at the libertie

of

of the pursuant. 34.H.8.

45 All Bils sued before the said Justices in personall actions, whereof the debt, dutie, or damage is vnder xl. s. the Shirife shall haue for the returne of euerie bill y.d. And for euery Venire facias, Tales, Habeas corpora, and Distringas, y.d. and for writs of execution vpon the iudgement in any such bill xy.d. And in bils sued before the said Justices in actions personals, aboue the summe of xl.s. the Shirife shall haue for the returne of euery such bill iiy.d. And for the returne of euery Venire facias, Habeas corpora, Distringas, and Tales, iiy.d. and for euery writ of execution y.s. And in all personall actions sued by originall writs returnable before the said Justices, the Shirife shall haue for euery Iterum summon, Distring. and Alias distringas, iiy.d. and for euery Venire facias, Habeas corpora, Distringas, and Tales, vj.d. and for euery writ of execution to be executed vpon the iudgement in any such actions y.s. for the seruing of euery writ of Elegit, vj.s. viy.d. And in all reall actions or mixt, pursued before the said Justices, by originall writ, for returne of euery originall writ y.s. and for returne of euery other writ and iudicial proces depending vpon the same before iudgement, y.s. & for euery writ of execution after iudgement vpon euery originall, in actions reall, or mixt, y.s. & for seruing of euery writ of Habere facias seisinam, vj.s. viy.d. And for Attachments vpon Capias, or other proces sued before the said Justices by original or iudiciall writ, if he returne Cepi corpus, y.s. & for a Reddidit se vpon an Exigent of felony, in appeall of Murder, or Maime, or vpon any indictment of Felony or Murder, y.s. & vpon a Reddidit se vpon an Exigent of debt, trespas, detinue, & all other actions personals xy.d. And for the making of Repleg. xy.d. and Withernam vpon the same xy.d. For the returne of euery writ of appeal of Murder, Felony, or Maihem xy.d. And vpon all other proces growen vpon the same, as Venire facias, Tales, Habeas corpora, and Distring. xy.d. And in euery action taken before the Shirifes by Iusticies, for the summons thereof iiy.d. And for euery other proces thereupon iiy.d. And for euery prysoner deliuered by acquitall, or by proclamation for any maner of Felony xy.d. 34.H.8. Shirifes fees.

46 Euery Shirife within the limits of his authoritie, may and shall put such persons vnder common mainprise, as they haue reasonable cause of suspect, binding such as they shall so put to common mainprise with two sufficient suerties with them by Recognisance, to appeare before the Justices within the limits of their authorities, at the next great Sessions to be holden next after the taking of such bands, and shall certifie the names of them that be bound before the said Justices at the said Sessions accordingly, without concealement thereof at their pleasure. 34.H.8. And the Recognisances of such common mainprise, & suertie of apparance taken before any of the said Shirifes shall be as good & effectuall, as if it were taken by any Justices of record. And euery person and persons within the Counties of Brecknock, Radnor, Mountgomery, Denbigh, Glamorgan, Carmerden, Penbroke, & Cardigan, or any of them, put vnder common mainprise, & bound to his or their personall apparance, aswel by the foresaid Shirifes, as by the Justices of any of the said Counties, shall kepe their apparance before the said Justices at euery Sessions within the said Counties, to be holden in such maner and forme, as is vsed in the three Shires of Northwales. 27.H.8.26. Suspect persons put vnder mainprise.

47 Euery person that the Shirife taketh to common mainprise, to appeare before the said Justices, as is aforesaid, shal pay for his mainprise y.d. and not aboue. And the said Shirife shall put no man to common mainprise, but such as be suspect, and as shall be returned by them, before the said Justices at their Sessions, as is aforesaid. 34.H.8. The Shirifes fee for the mainprise.

48 And the said Shirife shall haue for the returne of a writ of False iudgement out of a base Court, before the said Justices y.s. And the said Shirife shall take The fee for returne of a writ of false iudgement.

take no maner of fée for the returne of any of the said writs of execution before expressed, vnlesse he returne the same executed. 34. H. 8.

The Shirifes deputies.

49 Euery Shirife of the said twelue Counties in Wales, and of the Counties Palantine of Lancaster, Chester, and of the Citie of Chester, shall haue in euery of the Courts of the Kings Bench, and Common Pléas, one sufficient deputie at the least, to receiue writs directed to such Shirife &c. 1. Ed. 6. 10. S. Exigent &c. 7.

Bailifes of hundreds.

50 The Shirife shall make the Bailifes of Hundreds, and they shall attend vpon the Justices in euerie of their Courts and Sessions. 34. H. 8.

Escheators.

51 Escheators shall be named in euerie of the said Shires by the Lord Treasorer of England, by the aduise of the said President, Councell, and Justices, or three of them at the least, whereof the said President to be one, which Escheators shall make and take their oathes, and knowledge their Recognizances before the said President, or one of the said Justices, by vertue of the kings writ of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their true accompt to be made before the kings Auditor or Auditors, to be alligned for the same, which oath and recognizance shalbe agréable to the oath and Recognizance vsed for the Escheators in England. And the Escheators shall yearely haue their Patents and Commissions vnder the great Seale of England, & shall haue power to exercise their offices, in like maner and forme as Escheators in England, and shall be bound to all Lawes and Statutes of England. And al such persons as shall be appointed to the said offices, shall and may exercise their offices, if they may dispend yéerely v. l. of Fréehold: any statutes of England to the contrarie thereof notwithstanding. And euery of the said Escheators shal make their accompt yéerely before such Auditor or Auditors, as shall be alligned by the king to heare & determine his accompt, for his reuenues & profits of the said dominion of Wales. 34. H. 8.

Corroners.

52 There shalbe two Corroners, to be elected in euery of the said twelue Shires, as is vsed in England, by vertue of the Kings writ de Coronatore eligendo, to be awarded out of the kings Chancery of England. And the said Corroners shal haue like authoritie to do and exercise their offices, & haue like fées, as is limitted by the lawes & statutes of England. Prouided alwaies, that the writ de Coronatore eligendo to chuse the Corroners within the said County of Flint, shall be directed out of the Eschequer of Chester. 34. H. 8.

Countie of Flint.

Constables of the hundred.

53 The said Justices of Peace, or two of them at the least, whereof one of them to be of the Quorum, shall appoint and name in euery Hundred within the limits of their commission, two substantiall Gentlemen, or Yeomen, to be the chiefe Constables of the Hundred wherein they inhabite, which two Constables of euery Hundred shall haue speciall regard to the conseruation of the kings peace, and shall and may do and vse their offices in all and singuler things as is vsed by the high Constables of the Hundreds in England, & shall be bound to all things as high Constables of the Hundreds in England be bound to. 34. H. 8.

Stewards of Courts.

54 All Stewards of any Lordships, or manors in Wales shall and may kéepe and hold such Léetes, Lawdaies, and Court Barons, as appertaineth and belongeth to the Lordships and Manors whereof they be Stewards, and hold plées by plaint vnder the summe of xl. s. in euery such Court Baron, and haue and enioy all other authorities, commodities, and profits, as Stewards of Léetes, Lawdaies, and Court Barons in England commonly haue, and be vsed to haue by reason of the said offices, and none other: any law, custome, &c. in the said dominion of Wales notwithstanding. But the said Stewards, nor any of them, nor the Shirifes of the said Counties in Wales, shall haue any authoritie to enquire of any maner of Felony in any such Léete, Lawdaie, or Turne, within the said

No Shirife or Steward shall inquire of Felony.

ſaid dominion to be holden. And no Leete nor Lawday ſhall be kept by the Steward or other officer of any Lordſhip or Manor in the ſaid dominion of Wales, but in ſuch Lordſhips and places where it was accuſtomed to be kept, before the making of the ſtatute of 26.H.8. ſo alwaies the place where ſuch Court ſhall be kept be mete and conuenient for that purpoſe. 34.H.8.

Head officers of corporat Townes.

55 All Maiors, Bailifes, and head Officers of corporate Townes in Wales may hold pleas, & determine actions, & doe euery other thing concerning common Juſtice, according to their lawful graunts and laudable cuſtomes of ſuch Towns, ſo alwaies they follow the courſe, trade, & faſhion of the Lawes and cuſtomes of the Realme of England, and not of any Welch Lawes or cuſtomes. And in euery of the ſaid Towns they may trie all iſſues ioined in any action perſonal by vj. men according as heretofore in diuers places of the ſaid Countrey it hath been vſed: any thing in this Act &c. notwithſtanding. 34.H.8.

Aulneger.

56 The Aulneger in Wales, by himſelfe, or his ſufficient deputie or deputies, ſhall in all things to his office appertaining doe, and be bound to doe, and anſwere in euery caſe like, and according as all and euery Aulneger in England do, or ought to do, according to the Lawes & ſtatutes of the Realme of England. And for the contrary doing or exerciſing of the ſaid office, ſhall in euery caſe and degree ſuffer, as by the ſaid Lawes & ſtatutes is ordeined for Aulnegers, vnder the Treaſurer of England for the time being. 34.H.8.

All Courts &c. kept in the Engliſh tongue.

57 All Juſtices, Commiſſioners, Shirifes, Corroners, Eſcheators, Stewards, and their Lieutenants, and all other Officers and miniſters of the Law, ſhall proclaime and keepe the Seſſions, Courts, Hundreds, Leetes, Shirifes courts, and all other Courts in the Engliſh tongue, and all oaths of Officers, Iuries, & Enqueſts, and all other Affidauits, verdicts, and wagers of law ſhall be giuen and done in the Engliſh tongue. And alſo no perſon or perſons that vſe the Welch ſpeach, or language, ſhall haue and enioy any maner of office or fees within the Realme of England, Wales, or other the kings dominions, vpon paine of forf. of the ſame offices or fees, vnleſſe he or they vſe the ſpeach or language of Engliſh. 27.H.8.26.

No vſe of Welch ſpeach by Officers.

Fees rated by the Preſident & Councell.

58 In all and euery writs originall or iudiciall, or other proces, pleas, or writings, which be not expreſſed in this ordinance, the fees thereof aſwel for the ſeales, as writing, ſhall be rated by the ſaid Preſident, Councell, and Juſtices or three of them, whereof the ſaid Preſident to be one, by their diſcretion from time to time, as the caſe ſhall require: and they ſhall haue full power from time to time to aſſeſſe and appoint what fee the ſaid Shirifes, Eſcheators, and Corroners, and their miniſters, Prenotaries, and their Clerkes, and other miniſters of Juſtice in the ſaid Shires, ſhall haue of the kings ſubiects for any maner writs, plaints, pleas, proces, returnes, or any other matter or thing, concerning or belonging to the execution of their offices and rowmes, and to augment or diminiſh any fee or fees, aboue declared, as ſhall be thought by their diſcretions to be conuenient and mete for the common wealth of the kings ſubiects of thoſe parties of Wales. 34.H.8.

All officers obedient to the Preſident, Councell, and Juſtices.

59 All Maiors, Shirifes, Stewards, Bailifes, and other miniſters and officers of Juſtice, of euery County, Lordſhip, Towne, and place within the ſaid Dominion of Wales, and all and ſinguler the kings ſubiects of the ſame, ſhall be alwaies obedient, attendant, and aſſiſting to the ſaid Preſident, Councell, and Juſtices of Wales, & euery of them, and ſhall obey the kings commaundements and proces from them, or any of them directed, and all the lawfull and reaſonable precepts of the ſaid Preſident, Councell, and Juſtices, and euery of them. And alſo ſhall be obedient to al the ſaid Juſtices of peace, Shirifes, and Eſchetors, within the limits of their ſaid authorities, aſwell for common adminiſtration,

and

and due execution of iuſtice, as in al other things appertayning to their duties and offices. 34.H.8.

No Felon ſhall be put to his fine.

60 No perſon for Murder or Felony ſhall be put to his fine, but ſuffer according to the Lawes of the Realme of England, except it pleaſe the King to pardon him. And if the ſaid Juſtices ſee cauſe of pitie, or other conſideration, they may repriue the pryſoner, till they haue aduertiſed the King of the matter. 34.H.8.

No man ſhall agree with a Felon.

61 If any Murder or Felony be committed within Wales, then the partie to whom any ſuch offence ſhall be committed, ſhall in no wiſe make any end or agreement with the offendor in that behalfe, nor with any other in his name or behalfe, vnleſſe the ſaid party firſt make the ſaid Preſident and Councell, or one of the ſaid Juſtices priuie vnto the ſame, vpon paine of impriſonment and grieuous fine, to be ſet and adiudged at the diſcretion of the ſaid Preſident, Councell, and Juſtices, or two of them, whereof the ſaid Preſident to be one. The ſame paine and penalties to extend aſwel to & againſt ſuch as ſhall labour, moue, or procure any ſuch end or agreement made (although the ſame labour, motion, or procurement neuer take effect to make any end or agreement) as againſt him or them, with whom ſuch end or agreement ſhall be made, if the ſame happen to take effect. 34.H.8.

Tumults.

62 No perſon or perſons without lawfull authoritie, ſhall make any rumors, tumults, vnlawfull aſſemblies, or outcries, at any of the ſaid Courts or Seſſions, nor any outcries, nor vnlawfull aſſemblies in great numbers, at any other time, except it be for the apprehenſion or purſuing of murderers, or Felons, vpon paine of imprysonment, and grieuous fine to be tared and ſet vpon them by the ſaid Preſident and Councell, or by the Juſtices, or other Officer, before whom ſuch miſbehauior ſhal happen to be committed. 34.H.8. 4.H.4.27.

Triall of Voucher or forrein plea.

63 In caſe any forreine plea or voucher be made before any of the ſaid Juſtices of Wales, betwæne partie & partie, triable in any other ſhire within Wales, then where the ſaid plea is pleaded, or voucher made: Then the ſaid Juſtices before whom the ſame plea or voucher ſhall be pleaded or made, ſhall and may ſend the Kings writ with a tranſcript of the record, mentioning the ſame forrein matter of plea, or voucher, vnder the ſeale to him committed, vnto the Juſtice of the Countie where the ſame matter ſhal be triable, commanding the ſaid Juſtice by vertue of the ſaid writ, to proceed to the triall thereof, according to the Kings Lawes and Statutes, which triall ſo before him had, he ſhall remaund with the whole Record, vnto the Juſtices before whom the ſaid plea or voucher was pleaded or made, who thereupon ſhall proceed to iudgement, as the caſe ſhall require. And in caſe the ſame forrein plea, voucher, or other matter ſo pleaded, be triable within the realme of England, Then the Juſtice before whom the ſame plea or voucher ſhall be pleaded, had, or made, ſhall and may proceed, to the triall thereof, as ſhall appertaine within the ſame Shire of Wales, where the ſame old plea, voucher, or matter was pleaded: the ſaid forrein plea, voucher, or any other thing or matter to the contrary thereof notwithſtanding. 34.H.8.

All lands in Wales ſhall be Engliſh Tenure, and not gauelkind.

64 All manors, lands, tenements, meſuages, and other hereditaments, and all rights and titles to the ſame, in any of the Shires of Wales, diſcended to any manner perſon or perſons, ſince the feaſt of the Natiuitie of S. I. Bap. Ann 33.H.8. or that hereafter ſhall diſcend, ſhall be taken, enioyed, vſed, and holden as Engliſh tenure, to all intents, according to the Common Lawes of this Realme of England, and not to be partable among heires Males after the cuſtome of Gauelkind, as heretofore in diuers parts of Wales hath bẽn vſed. And the ſame Law from and after the ſaid feaſt of Saint John Baptiſt, in the ſaid 33. yeare ſhall be vſed, taken, and exerciſed in the ſaid County of Monmouth, and in all ſuch Lordſhips, and other places, as by vertue of the Act made 27.H.8.26.

or

or by any other Act or Acts, made or to be made, were and shall be annexed to any of the Shires of Salop, Hereford, Glouceſter, or other Shires: any Lawes or cuſtomes &c. notwithſtanding. 34. H. 8.

Mortgage of lands.

65 No Mortgages of lands, tenements, or hereditaments, made or had, after the ſaid feaſt of S. John Bap. which was 33. H. 8. or that hereafter ſhall be had or made, within any of the ſaid Shires or places, ſhall be allowed otherwiſe, then after the courſe of the Common lawes & ſtatutes of the Realme of England: any vſage, or cuſtome &c. notwithſtanding. 34. H. 8.

Alienation of lands after the Engliſh maner.

66 It ſhall be lawfull to all perſons, to alien, ſell, or otherwiſe put away their lands, tenements, and hereditaments, within the ſaid Dominion of Wales, the County of Monmouth, & other places annexed to any of the Shires in England, from them and their heires to any perſon or perſons in fee ſimple, or fee taile, for terme of life, or for terme of yeares, after the maner, and according as is vſed by the Lawes of England: any Welch law or cuſtome heretofore vſed in the ſaid Dominion of Wales to the contrary thereof notwithſtanding. This Article to take effect, from and after the ſaid feaſt of the natiuitie of Saint John Bap. Anno 33. H. 8. 34. H. 8.

Inheritors of Wales bound by ſtatute, or recogniſance in England.

67 If any perſon or perſons, hauing lands or tenements within the ſaid dominion of Wales, ſhall be bound within the Realme of England by Obligation, vpon the ſtatute of the Staple, or by Recognizance, and pay not the debt, as ſhall appertaine: Then vpon certificat thereof made into the Kings Chauncery of England, by the Clerke of the Staple, or by any Juſtice of record, before whom ſuch Recognizance ſhall be knowledged, proces ſhalbe made to the Shiriſes of Wales, out of the Chauncery of England, after the forme as is vſed to be made vpon ſtatutes and Recognizances by the courſe of the Lawes of England, for due leuying & paying of the ſaid debt. But for ſuch Recognizances as ſhall be taken and knowledged before the Kings Juſtices of his Bench, or Common Pleas in England, proces ſhall be had and purſued immediatly out from the ſaid Juſtices, as is vſed vpon Recognizances taken before the Juſtices by the common courſe of the lawes of England. 34. H. 8.

What writs, bils, & proces ſhall be vſed.

68 All ſuch writs, bils, plaints, plées, proces, challenges, and trials ſhall be vſed throughout all the Shires aforeſaid, before the ſaid Juſtices in their Seſſions, as is vſed in Northwales, or as ſhall be deuiſed by the ſaid Preſident, Councell, & Juſtices, or three of them, whereof the ſaid Preſident to be one, for the good miniſtration of Juſtice to be had in euery of the ſaid Shires. 34. H. 8.

Fiue yeares poſſeſſion.

69 If any perſon or perſons, their auncеſtors, or they whoſe eſtate he or they haue, haue been in peaceable poſſeſſion of any lands or tenements in Wales by the ſpace of fiue yeares, without let, interruption, or lawfull claime: Then the ſame perſon or perſons ſhall continue their poſſeſſion, vntill ſuch time as it be lawfully recouered againſt them by order of the kings Lawes, or by decree of the Preſident and Councell there. 34. H. 8.

What lyuing the Iurors in each caſe muſt diſpend.

70 Euery perſon that hath any lands or tenements in fee ſimple, or fee taile, or for terme of his life, or for terme of any other mans life, being freehold, ſhall & may paſſe in all maner Iuries and trials, aſwell in caſe of Felonie or Murder, as in all actions reall, perſonall, and mixt, whatſoeuer they be (Attaint onely except) and alſo may be impanelled, and enquire of all concealements, forcible entries, and other cauſes for enquirie of the King, albeit he may not diſpend xl. ſhillings by yeare: Sauing to euery man his lawfull challenge for any other cauſe, according to the Lawes of the Realme of England. And no Iuror ſhall paſſe in Attaint, vnleſſe he may diſpend fortie ſhillings by the yeare, of eſtate of freehold. 34. H. 8.

Attaint.

Tales de circumſtantibus.

71 S. 5. Eliz. 25. 14. Eliz. 9. Iurors 23. That the demandants and plaintifes, tenants

tenants and defendants in Wales, vpon request made to the Iustices of the great Sessions, may haue a Tales de circumstantibus, where a ful Iurie shal not appeare, or else after apparance of a full Iurie, where the Iurie is like to remaine vntaken for default of Iurors by challenge of any of the parties. S. 34. H. 8. That in personall actions taken & pursued before the Iustices in Wales by writ or bill, if nine of the Iury be sworne to trie the issue, and the residue, make default, or be tried out, then the Shirifes shall & may immediatly returne other names in the said Iurie De circumstantibus, vntill there be ry. men sworne to trie the issue, as before the Iustice of Northwales hath bin vsed.

Sale of stollen goods.

72 If any goods or chattels be stollen by any person or persons, and sold in any Faire or Market, within the said Dominion of Wales, no such sale shall change the propertie thereof from the owner of the same, but he may lawfully seise, take, and haue the same againe, vpon proofe thereof made, the said sale notwithstanding. 34. H. 8.

No cattel shal be bought out of the Market &c.

73 No person or persons shall bargaine or buy any maner of beast, or other quicke cattell in any place within Wales, out of the Market or Faire, vnlesse he can bring forth sufficient and credible witnesses of the name of the person, what place, and time he bought the same, vpon paine and danger of such punishment & fine, as shalbe set vpon him, by the said President and Councell, or any of the said Iustices in his Circuit, for the said offence, and as he wil therefore answere at his further perill. 34. H. 8.

Pursuit after stollen goods.

74 If any goods or cattels be stollen within the limits of any of the said Shires of Wales, then vpon suit therof had & made, the tract shalbe followed from Township to Township, or Lordship to Lordship, according to the Lawes and customes in that behalfe here tofore vsed in Wales, vpon such penaltie and danger, as heretofore hath been accustomed. 34. H. 8.

Eschcats.

75 The King shall haue all Felons goods, & goods of persons outlawed, wayfe, strayes, & all other forfaitures & eschcats whatsoeuer they be, answered thereof by the hands of the Shirifes: Sauing alwaies the rights & interests of euerie of his subiects, hauing lawfull title to haue the same. 34. H. 8.

Each persons inheritance saued.

76 This Act of 34. H. 8. or any thing therein contained, shall not be preiudiciall to any person or persons, or bodies politik, for, or concerning any lands, tenements, rents, seruices, bondmen, tolles, or other hereditaments, but they & euery of them, their heires, successors, and assignes, shall haue and enioy their lands, tenements, &c. in such like maner as they had the same before the making of this Act. 34. Hen. 8.

Liberties of the Duchie.

77 All liberties, franchises, & priuiledges of the Duchie of Lancaster, or in any wise appertaining to the same, shall be of the same force, and condition, and may be vsed in as large & ample maner, as they were before the making of this Act: any thing &c. notwithstanding. 34. H. 8.

Actions sued in the county of Monmouth.

78 All actions reals that shall be commenced or sued for any lands, tenements, or hereditaments, or any other thing within the Countie of Monmouth, and all actions personals within the same Shire, of the summe of xl. s. or aboue, and all actions mixt shall be sued by originall writ out of the Chauncerie in England, and heard, determined, & tried before the kings Iustices in England, by Assise, or Nisi prius, within the said Countie of Monmouth, in such like maner, forme, and wise, as al other actions reals, personals, & actions mixt be sued, heard, determined, & tried, in, or for any Shire of the Realme of England. 27. H. 8. 26.

Triall of Nisi prius in the Countie of Monmouth.

79 The Kings Iustices of his Bench, or of the Common Bench at Westminster, haue full power to direct all maner proces to the Shirife, & all other officers of the said Countie of Monmouth, and also to direct writs of Venire facias to the same Shirife, for the triall of issue ioyned before them, & also to award commissi-

ons

ons of Niſi prius into the ſaid Countie of Monmouth, for the triall of ſuch iſſues ioyned before them, in like maner and forme as they do into euery Shire of this Realme of England. 27.H.8.26.

80 All and euery of the Kings ſubiects & inhabitants within the ſaid Countie of Monmouth, be bound to be obedient and attendant to the Lord Chauncellor of England, the kings Iuſtices, and other the kings moſt honorable Councell, and vnto all Lawes, cuſtomes, ordinances, and Statutes of this Realme of England, in like maner, forme, and wiſe, as all other the kings ſubiects within euery Shire of this Realme of England be bound. 27.H.8.26. Inhabitants in Monmouth obedient to the Law & Magiſtrates of England.

81 The Shirife of the ſaid Countie ſhall hold plea of Replegiare, and all other ſuits & plaints vnder xl.ſ. in his Countie or Shire Court, in like maner & forme, as all other Shirifes do within this Realme of England. 27.H.8.26. Of what things the ſhirife of Monmouth ſhall hold plea.

82 The Shirife, Eſcheators, and Corroners that be within the ſaid Countie of Monmouth, be bound to execute all the kings proces, and to make due returnes thereof, and to vſe and exerciſe their offices, according to the Lawes and Statutes of this Realme of England, in all and euery thing, as the Shirifes, Eſcheators, and Corroners be bound to do in all and euery other Shire of this Realme of England. 27.H.8.26. The Shirifs, Corroners, & Eſcheators dutie.

83 The Shirife and Eſcheators of the ſaid Shire of Monmouth, that ſhall be appointed by the King, ſhall make their accompts for their ſaid offices in the kings Exchequer in England, in like maner and forme, as other Shirifes and Eſcheators do within this Realme of England, and vpon ſuch like paines and penalties, as is vpon other Shirifes & Eſcheators in euery other Shire within this Realme of England. 27. H. 8. 26. The Shirifs & Eſcheators accompt.

84 For all Parliaments to be holden for this Realme, two Knights ſhall be choſen to the ſame Parliament for the Shire of Monmouth, and one Burgeſſe for the Borough of Monmouth, in like maner, forme, and order, as other Knights and Burgeſſes of the Parliament be elected in all other Shires of England, and the ſame Knights and Burgeſſes ſhal haue like dignitie, preheminence, and priuiledge, and ſhall be allowed ſuch fees, as other knights and burgeſſes of the Parliament haue born allowed. And the Knights fees ſhall be leuied, perceiued, receiued, gathered, and paied, in ſuch maner, forme, and order, as ſuch fees be gathered &c. in other Shires of this Realme of England, and the Burgeſſes fees ſhall be leuied aſwell within the Borough of Monmouth, as within all other auncient Boroughes within the ſaid Shire of Monmouth. 27.H.8.26. Two knights and one Burgeſſe for the parliament for Monmouth.

85 The Kings high Iuſtice of the Countie of Pembroke, ſhall be high Iuſtice of the Countie and Towne of Hauerford Weſt, and ſhall haue like authoritie to and for the miniſtration of Iuſtice within the ſaid Countie and Towne of Hauerford Weſt, as is appointed to the ſaid Iuſtice, to and for the adminiſtration of Iuſtice in the ſaid County of Pembroke. And the Maior, Shirife, Bailife, and Burgeſſes of the ſaid Countie & Towne of Hauerford Weſt, from time to time ſhall be aſwell attendant, and obey all precepts & commaundements of the Preſident and Councell of the King in his Marches of Wales, and alſo ſhall be attendant to all precepts & proces awarded or directed by the ſaid high Iuſtice vnto the Shirife of the ſaid Countie & Towne of Hauerford Weſt, and to make returne thereof, and the ſaid Shirife of the ſaid Countie & Towne ſhall ſerue all precepts and proces directed from the ſaid high Iuſtice, in like maner and forme, as the Shirife of the ſaid Countie of Pembroke is bound to do, and according to the effect & purport of the K. ordinances in that behalfe had, made, and prouided. And it ſhall be lawfull vnto the ſaid Maior, Shirife, Bailife, and Burgeſſes of the ſaid Countie and Towne of Hauerford Weſt aforeſaid, to vſe and exerciſe all lawfull liberties and graunts by king H. 8. or his progenitors, to them graunted & confirmed, at Hauerford weſt.

the Kings pleasure, according to the Lawes of this Realme of England, and not otherwise. And the Judiciall Seale of the said Shires of Pembroke, Carmarthen, and Cardigan, being in the custodie of the K. high Justice there for the time being, shal be vsed in the said Countie & Towne of Hauerford West, as the originall and Judiciall seale of the same Towne and Countie. And the said Justice of the said Shires of Pembroke, Carmarthen, and Cardigan, shall haue like authoritie by vertue of the K. letters Patents to him made, aswell to do euery thing concerning common Justice to be ministred within the said Towne & Countie of Hauerford West, as he hath in his said Letters patents within any of the said Shires of Pembroke, Carmarthen, and Cardigan. 34. H. 8.

Part of the Marches annexed vnto certaine shires in England & Wales.

86 These Lordships, Townships, Parishes, Commotes, & Cantredes hereafter named, being Lordships Marchers, & sometime lying betweene the Shires of England and Wales: And all Honors, manors, lordships, castles, lands, tenements, and hereditaments, lying, or being within the compasse or precinct of the said lordships, townships, hamlets, parishes, commotes, and cantredes, & euery of them, in whose possession soeuer they be, are guildable, & taken as part & member of the Shire of Monmouth, viz.

Monmouth.

Monmouth the head & Shire Towne of the said Countie, Chepstow, Patherne, Lamnyhangell, Magour, Goldcliffe, Newport, Wenlog, Llawerne, Caerlyon, Vske, Trelecke, Minterne, Slinfreth, Grouſmont, White castle, Reglan, Calicot, Bitton, Abergiuenny, Penrose, Grænfeld, and Maghen, and Hochuyllade. 27. H. 8. 26.

Radnor.

87 These Lordships, Townships, &c. are guildable, and within the Shire of Radnor, viz. new Radnor, the head and Shire Towne of the said Countie, Elistherman, Elnelles, Boughred, Glasebury, Glawdikce, Highellis Church, Peleneth, Blewagh, Knighton, Norton, Prelton, Cormothuder, Raider, Gwethromyton, and Stanage. 27. H. 8. 26.

Brecknocke.

88 These Lordships, Townships, &c. are guildable, and within the Shire of Brecknocke, viz. Brecknocke the head and Shire Towne of the said Countie, Crekehowell, Crostowe, Penkelley, English Talgarth, Welsh Talgarth, Dynas, the Vay Glynebogh, Broyulles, Cautercely, Lando, Blaynlynby, Ettredow, Bueleth, and Llangors. 27. H. 8. 26.

Mountgomery.

89 These Townes are guildable, and within the Shire of Mountgomery, viz. Mountgomery the head & Shire Towne of the said Countie, Redewenkery, Catwilland, Arnestely, Beniliock, Doythur, Powesland, Clunesland, Balesley, Tempcestre, and Alcestre. 27. H. 8. 26.

Denbigh.

90 These Townes, &c. are guildable, and within the Shire of Denbigh, viz. Denbigh land the head & Shire Towne of the same County, Ruthin, Saint Asse, Kynillethowen, Bromfeld, Vale, Chirke, and Chirkeland, Holesdale, & Hopesdale. 27. H. 8. 26.

Salop.

91 These Townships, &c. are guildable, and annered to the County of Salop, viz. Abertannad, Oswestre, Whetington, Malbroke, Knoking, which with their members shall be taken the Hundred of Oswestre, and Elesmer, annered to the Hundred of Pimhill, and Downe, and Cherburie, annered to the Hundred of Cherburie. 27. H. 8. 26. 34. H. 8.

Hereford.

92 These Townships are guildable, & annered to the County of Hereford, viz. Ewyas Lacy, called the Hundred of Ewyas Lacy, Ewyas Harold, annered to the Hundred of Webtree, Clifford, Wynsorton, Perdesley, Whitney, and Huntington, called the Hundred of Huntington, Weigmore, Logharneis, the Hundred of Weigmore and Stepulton. 27. H. 8. 26.

Gloucester.

93 These Lordships are guildable, & annered to the County of Gloucester, viz. Wollaston, Tidnam, Bechley, & all lands lying betweene Chepstow bridge in the Marches of wales, & Gloucester shire, & in the hundred of Wesebury. 27. H. 8. 26.

94 These

94 Theſe Lordſhips are guildable, and annered to the Countie of Glamorgan, viz. Gowerkilney, Biſhops Towne, Landaff, Synghinthe ſupra, Synghinthe ſubtus, Miſkin, Ogmore, Glynerotheny, Tallagarne, Ruthien, Tallauan, Lanblethian, Lantwide, Lyeriall, Auan, Nethe, Landwey, and the Clayes. 27.H.8.26. Glamorgan.

95 Theſe Townes &c. are guildable, and within the Shire of Carmarthen, viz. Lanemethe, Uerie, Abermerleſſe, Kedwely, Eſkenning, Cornewolthan, Newcaſtle, Emlyn, Abergolly, and Lanſtiffan, Uſterlois, Langham, parcell of the Hundred of Derleys. 27.H.8.26. Carmarthen.

96 Theſe Townes are guildable, and within the Shire of Pembroke, viz. Kilgarran, Lanſteffan, Langeharne, otherwiſe called Tellangharne, Walwinſcaſtle, Dewesland, Launehaden, Lanſey, Henbeth, Slebeiche, Roſmarket, Caſtlelan, Londoſloure. 27.H.8.26. Pembroke.

97 Theſe Townes, &c. are guildable, and within the Shire of Cardigan, viz. Tregaron, Genergin, Landway, Uteny. 27.H.8.26. Cardigan.

98 Theſe Townes, &c. are guildable, and within the Shire of Flint, viz. Hoppe, Hawarden, Mereford, Dſley, & Holdeſdale, within the Hundred of Holdeſdale, Aſſaph, within the Hundred of Rutland. 33.H.8.13. Flint.

99 The Lordſhips, Townes, and Pariſhes of Houthway, & all lands, tenements, &c. within the compaſſe of the ſame, are guildable, and annered to the Countie of Merioneth in Northwales, as a commote, member, or part of the ſame. 27.H.8.26. Houthway. Merioneth.

100 The Towne of Bewdly within the Pariſh of Ribelſord in the Countie of Wigorne, and all the ground and ſoyle of the ſame Towne, is united, annered, and made parcell of the Countie of Wigorne, & within the Hundred of Doddingtree: And the Inhabitants of the ſaid Towne and Pariſh ſhal be attendant, and do euery thing with the inhabitants of the ſaid Hundred. Sauing to the Burgeſſes and Inhabitants of the ſaid Towne of Bewdly, all ſuch Liberties and franchiſes, as they lawfully had and exerciſed in the ſame Towne, before the making of this Act. 34. H. 8. Worceſter.

101 All and ſinguler perſon and perſons, dwelling or reſiant within Wales, or in the Lordſhips Marchers of the ſame, at all times vpon ſuch mention or warning giuen for the Court to be kept in Wales, or in any of the Lordſhips Marchers, as before time hath bēn vſed, ſhall perſonally appeare before the Juſtice, Steward, Lieutenant, or other Officer, at all & euery Seſſions, Court & Courts, to be holden before the ſame Juſtice, Steward, or other Officer, in any whatſoeuer place within Wales, or within the precinct, limits, & iuriſdictions of euery of the Lordſhips Marchers, or Seignories aforeſaid, or the Marches of the ſame, as by the ſaid Juſtice, Steward, or other Officers ſhall be appointed, and then and there ſhal giue his & their perſonall attendance, to do euery thing which to him or them ſhall appertaine, vpon paine of ſuch fines, forfeitures, and amerciaments, as ſhall be aſſeſſed by the Steward, Juſtice, or other Officer, to the K. vſe, if it be within any of the Kings Lordſhips Marchers, and if it be within any other Lordſhips Marchers, then to the vſe of the Lord of the ſaid Lordſhip Marcher for the time being. The ſaid forfaitures and amerciaments to be leuied by way of Diſtreſſe, of the goods & chattels of euery perſon, not appearing at the ſaid Court or Courts, or not doing his duetie, as is abouesaid. 26.H.8 6. Apparance & attendance at Courts.

102 If the Steward, Lieutenant, or any other Officer of any Lordſhip Marcher in Wales, do faine, procure, or imagine any vntrue ſurmiſe, againſt any perſon or perſons that ſhall ſo giue their perſonall attendance before them at ſuch Court or Courts, where they haue rule, or authoritie, and vpon the ſame vntrue ſurmiſe, commit them to any dureſſe, or impriſonment, contrarie to the Law, or contrarie An officer impriſoning one vpon an vntrue ſurmiſe.

contrarie to the true & lawdable cuſtome of that Lordſhip: Then vpon ſuit made vnto the Kings Commiſſioners, or Councell of the Marches, for the time being, by any ſuch perſon or perſons ſo impriſoned, or by any of their friends, the ſame Commiſſioners or Councell ſhall haue full power to ſend for ſuch Steward, Lieutenant, or Officer, and alſo for the perſon or perſons ſo impriſoned, and if the ſame perſon or perſons ſo impriſoned, can euidently proue before the ſaid Councell, by good and ſubſtantiall witneſſes, or otherwiſe, that his impryſonment was vpon any fained ſurmiſe, without cauſe reaſonable, or lawfull, then the ſame Commiſſioners ſhall haue full power to aſſeſſe the ſaid Officer to pay to the ſaid perſon or perſons wrongfully impriſoned vj.s. viij.d. for euery day of their impriſonment, or more, by the diſcretion of the ſaid Commiſſioners, according to the hurts and behauiour of the perſon or perſons impriſoned, and the ſame Commiſſioners ſhall ſet further fine vpon the ſaid Officer, to be paied to the K. vſe, as by their diſcretions ſhall be thought conuenient. And in caſe the ſame Officers do refuſe to appeare before the ſame Commiſſioners incontinent after any commaundement to them directed, and deliuered, after any ſuch complaint made to the ſame Commiſſioners: then the ſame Commiſſioners ſhall haue full power vpon euery default made by any Officer or Officers, to aſſeſſe & ſet vpon euery ſuch Officer, or Officers, making default, ſuch fine or fines, to be leuied to the Kings vſe, as by their diſcretions ſhal be thought conuenient. And the ſame Commiſſioners ſhall haue full power to compell the ſaid Officer or Officers, by way of impriſonment, aſwell to pay ſuch fine, as ſhall be taxed vpon them to the Kings vſe, as to pay vnto euery perſon or perſons ſo impriſoned, ſuch ſummes of money, as they ſhall be aſſeſſed to pay for their wrong impriſonment. 26.H.8.6.

No weapon ſhalbe brought to Courts, Fayres, or Churches.

103 No perſon dwelling or reſiant within Wales, or the Lordſhips Marchers of the ſame, of what eſtate, degree, or condition ſoeuer he be, comming or repairing vnto any Seſſions or Court to be holden within Wales, or any Lordſhips Marchers of the ſame, ſhall bring, or beare, or cauſe to be brought, or borne, to the ſame Seſſions or Court, or to any place within the diſtance of two Myles from the ſame Seſſions or Court, nor to any Towne, Church, Fayre, or Market, or other congregation (except it be vpon a Hue or Outcrie made of any Felonie, or Robberie done) nor in the High waies, in affray of the K. peace, or the K. liege people, any bill, long bow, croſbow, handgun, ſword, ſtaffe, dagger, halberd, morriſpike, ſpeare, or any other maner of weapon, priuie coat, or armour defenſiue, vpon paine of forfeiture of the ſame weapon, priuie coat, or armour, & to ſuffer impriſonment, and make fine & ranſome to the K. by the diſcretion of the Kings Commiſſioners of his Marches, for the time being, except it be by the commandement, licence, or aſſent of the ſaid Juſtices, Steward, or other Officer, or of the Commiſſioners, or Councell of the Marches for the time being. 26.H.8.6. 4.H.4.24. S. Armour 9.

Gathering commorthes, exactions, &c.

104 No perſon or perſons without licence of the ſaid Commiſſioners in writing, ſhall within Wales, or the Marches of the ſame, or in any Shires adioyning to the ſame, require, procure, gather, or leuie any Commorth, Bidale, tenants ale, or other collection or exaction of goods, cattels, money, or any other thing, vnder colour of marrying, or for redemption of any Murder, or any other Felonie, or for any other maner of cauſe, by what name ſoeuer they ſhall be called: Nor ſhall make, or procure to be made, any Games of running, wreſtling, leaping, or any other Games (the game of Shooting onely except) vpon paine of one whole yeares impriſonment of euery perſon or perſons, as ſhall gather, or procure to be gathered, any ſuch collection, or exaction, or ſhall make, or procure to be made, any Games, as is aforeſaid. And further, they and euery of them ſhall make ſuch fine, as by the diſcretion of the Kings Commiſſioners of his Marches ſhall be thought conuenient. And the ſaid Commiſſioners ſhal haue power to heare & determine the

Procuring of Games.

ſaid

said offences by their examination. 26.H.8.6.

105 No person or persons shall at any time cast any thing into any Court within Wales, or in the Lordships Marchers of the same, by the meane or name of any Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, vpon paine of one whole yeares imprisonment of any such person or persons, as shall cast, or cause to be cast any such Arthel into any Court or Courts to be holden within Wales, or the Lordships Marchers of the same: Any custome &c. notwithstanding. 26.H.8.6. Arthel.

106 All Sessions and Courts to be holden within Wales, or the Lordships Marchers of the same, shall be kept within the most surest & peaceable place within the same Lordship Marcher, where the said Justice, Steward, or other Officer shall appoint. 26.H.8.6. Where Sessions shall be kept.

107 The Justices of the Gaole deliuerie, and of the Peace, and euery of them for the time being, in the Shire or Shires of England, where the K. writ runneth, nert adioyning to the Lordship Marcher, or other places in Wales, where any counterfeiting, washing, clipping, or minishing of any Coyne currant within this Realme, or Murder, shall be committed or done, or where any other Felonies or accessaries shal be committed, haue authoritie at their Sessions & Gaole deliuerie, to inquire by verdict of xij. men of the same Shire or shires nert adioyning, within England, where the Kings writ runneth, there to cause all such counterfeiters, washers, clippers of money, felons, murderers, and accessaries to the same, to be indicted, according to the Lawes of this land, in like maner, as if the same pettie Treasons, murders, felonies, & accessaries to the same, had bin committed within any of the said Shires, within the said Realme, and also to heare, determine, and iudge the same, according to the Lawes of this Realme. And all forrain plees, pleaded by any of the said offendors, shall be tried and determined in the same Shire, or Shires. And the acquitall or fine making for any of the causes aforesaid, in any of the Lordships Marchers, shall be no barre for any person or persons, being indicted in the said Shire or Shires, within two yeares next after any such Murder or Felonie done. 26.H.8.6. Inquirie in the Counties adioyning, of offences committed within the Lordships Marchers. Forrain plees Acquitall in Lordships Marchers, no barre.

108 The said Iust. of P. and Gaole deliuerie, and euery of them, haue authoritie to award all maner of Proces, as well of Outlawrie, as otherwise, against all and euery such offendor and offendors, so indicted, in maner and forme, and according to the customes and Lawes vsed within this Realme of England. And the said Justices, or two of them, before whom any such offendor shall happen to be outlawed, or attainted by vtlagarie, shall immediatly vpon the same vtlagarie, or attainder, direct and send vnto the K. Officers of his Lordships Marchers, or to their deputie, or vnto the Lord or Lords Marchers of the same Lordship Marcher, or to his, or their officer or officers, or to their deputies, wherein such offence, murder, or felonie shall happen to be done, or where any such offendor, murderer, or felon, shal happen to be resiant, a Certificat vnder the seales of them, or two of them, of any such vtlagarie, or attainder, commaunding them, and euery of them by the same, vnder paine of forfeiture of a hundred pounds to the King, to be leuied and perceiued aswell of the goods, cattels, lands, and tenements, of the same Lord or Lords Marchers, as of the goods, and cattels, lands, and tenements, of the Kings officer there: to apprehend and attach, or cause to be apprehended and attached, the bodie or bodies of the same offendor or offendors so outlawed or attainted, and safely to keepe, or cause to be kept, the same offendor or offendors, till such conuenient time, before the nert Sessions of the Kings Justices of his Gaole deliuerie, of the Shire where such offendor or offendors shall happen to be outlawed or attainted, as to the Kings officer of his Lordships Marchers, or to their deputies, or vnto the Lord Marcher, or Lords Marchers of the same Lordship Marcher, or to Proces of outlawrie against persons indicted. Certificat of outlawrie.

his or their officer or officers, or their deputies, where such offendor or offendors shall happen to be apprehended, attached, detained, and kept, shal be thought expedient for the conueiance, & conduction of the same offendor or offendors, in maner and forme following, to be deliuered from the Kings officers, or their deputies, or the Lord Marcher, or the Lords Marchers, or his or their officer or officers, to other persons assigned by this Act, to receiue & conuey such offendor or offendors by Indenture to be made betweene the deliuerer, or deliuerers, and the receiuer or receiuers: that is to say, The K. officers of his Lordship Marcher, or their deputies, or the Lord or Lords Marchers of the Lordship Marcher, or his, or their officer or officers, or their deputies, where such offendor or offendors shall be apprehended, attached, detained, & kept, shal safely conduct & conuey, or cause to be conducted and conueyed the same offendor or offendors to the next Lordship Marcher, toward the Shire where the same offendor or offendors shall happen to be outlawed or attainted. And the K. Officers of the same Lordship Marcher, or their deputies, or the Lord or Lords Marchers of the same Lordship Marcher, or his or their officer or officers, or their deputies, shall receiue, & safely conuey the same offendor or offendors to the next Lordship Marcher. And so the K. officers of euery Lordship marcher, or their deputies, or the Lord or Lords Marchers of the same Lordship, or his or their officer or officers, or their deputies, to receiue & conuey safely euery such offendor or offendors, from one Lordship Marcher, to an other Lordship marcher by Indenture, as is aforesaid, vnto the time that such offendor or offendors shall be safely deliuered before the said Iust. of the Gaole deliuerie, vpon paine of forf. by euery of the K. Officers, or Lord Marcher (by whose default the same offendor or offendors shal, ne may not appeare, before the same Iustices at their said Sessions, there to stand & abide the order of the K. Lawes) C.l. to be leuied & perceiued of the goods & cattels, lands, & tenements, of the same Officer, or Lord, to the kings vse.

Conueiance of offendors frō one Lordship marcher to another.

Returne of the Certificat.

And all & euery officer & officers, Lord & Lords, or other persons to whem any Certificat shal be directed, as is abouesaid, shall at the next Sessions & Gaole deliuerie to be holden after the apprehension or attachment of such offendor or offendors, returne the same Certificat in due forme, and what he or they haue done in that behalfe, vpon the paine aforesaid. Sauing alway to all and euery offendor and offendors, all and singuler trauerses, challenges, exceptions, aduantages, and all other plees, to, of, and vpon the outlawrie pronounced against the same offendor or offendors, in maner and forme, as is, and hath been vsed by the Lawes of this Realme, for any the Kings subiects dwelling within the same Realme. 26.H.8.6.

All aduantages saued to the offendors.

No liberties of any Lord marcher abridged.

109 This Act shall not extend to abridge or depriue any liberties, priuiledge, or authority of any Lord Marcher, heretofore graunted to the same Lord, or lawfully vsed or accustomed by the said Lord, or any of his auncestors, vnlesse the foresaid offendors happen to be indicted, outlawed, arraigned, conuicted, or attainted, by force of this Act, as is abouesaid, within two yeares next after such Murder, or other felonious offence committed, within the said Lordship Marchers, or any of them: Any thing in this Act &c. notwithstanding. 26.H.8.6. Q. whether the vse of these foure Braunches, viz. 107. 108. 109. 111. be taken away by the annexing of the Lordships Marchers to certaine Counties in England & Wales.

Felonies committed in Merioneth.

110 All Murders, Robberies, Felonies, and accessories to the same, which shall happen to be committed within the Shire of Merioneth in Wales, shall & may be inquired, heard, and determined in the Courts of Carnaruan, or Anglesey, before the kings Iustices of Northwales, or their deputie, for the time being, by verdict or Enquest to be taken by the Inhabitants of the same Shires of Carnaruan, and Anglesey, or otherwise, if by discretion of the Iustice there, or his deputie, it shall be thought conuenient. And the same Iustice, or his deputie for the time being,

shall

ſhall haue full power by his diſcretion by force of this Act, to heare & determine all and euery the foreſaid murders, felonies, robberies, & acceſſaries in forme aforeſaid. 26.H.8.6. But ſee the Statute 34.H.8. that the foreſaid Act, and euery article therein contained ſhall take effect and be executed in all points, for & concerning any of the ſaid offences done within the countie of Perioneth, to be inquired of, heard, & determined within the Countie of Salop, in like manner and forme as commonly is and hath bin vſed for any of the ſame or like offences commited within any other countie or place of Southwales.

111 Euery officer and officers, and their deputies, vpon commandement giuen by the Commiſſioners or Councell of the Marches for the time being, ſhall bring, ſend, or deliuer euery offender (which doth commit any murder, robberie, or felonie, within the lordſhips Marchers of Wales, or in other places of Wales, without the ſame lordſhips Marchers, and doth flie and eſcape from the ſame Lordſhip, or other place, where ſuch offence was committed, and repaireth into an other lordſhip marcher) to the officer of the Lordſhip marcher, or other place, where any ſuch offence ſhall be committed or done vpon the metes & bounds of the ſaid Lordſhips, or to the ſaid commiſſioners or councell, according as the ſaid officers by them ſhall be commaunded, vnder paine of xl.l. the ſame commaundement or commiſſion to be directed to any ſuch officer to be ſent, conueied, and deliuered by a Sergeant at Armes, or Purſeuant attendant on the ſaid councell in the Marches, for the time being. 26.H.8.6. Q Whether the annering of Lordſhips Marchers to Counties doth abrogate the force of this branch. *where and to whom any offendor ſhall be committed.*

112 All ſuch vnlawfull cuſtomes, as haue been vſed in ſeuerall forreſts in Wales, and the Marches of the ſame (for the taking of vnlawfull eractions of any of the Kings ſubiects, which paſſe, goe, or ride through or in any way or path of any of the ſaid Forreſts, not hauing vpon him a token deliuered vnto him by the chiefe Forreſters, Rulers, or Farmers: Or to take any ſuch money and gold, as ſhalbe found vpon him which is taken by the ſpace of xxiiij. ſwt out of the high way in any of the ſaid forreſts, or to cauſe the ſame perſon ſo taken out of the high way, to loſe a ioint of one of his hands, or to make fine therefore with the forreſters, rulers, &c. at their will and pleaſure: Or for any Forreſters, Rulers, walkers, or farmers, vnlawfully to ſeiſe and take any beaſts or quicke cattell, & to marke them with the marke of their forreſts, which doe happen to come, goe, or eſcape into any of the ſaid Forreſts, by ſtray, or theeſe ſtollen, or otherwiſe) ſhalbe determined, void, and had for nought, throughout all and euery of the ſaid Forreſts within Wales, and the marches of the ſame. And it ſhall be lawfull to all and euery of the Kings true ſubiects, and all other perſon and perſons being in league and amitie with the King his heires and ſucceſſors, Kings or quæenes of England, freely, quietly, and in peace to paſſe and repaſſe, trauaile and goe into and throughout the ſaid Forreſts and euery of them, both on horſeback and on foote, aſwel following & driuing of cattell, as with carrying of wares, or otherwiſe about their lawfull buſineſſe and affaires, without any fine, forfaiture, toll, cuſtome, eraction, or other impoſition to be taken, eracted, or demaunded of them, or any of them, by the ſaid Forreſters, rulers, walkers, farmers, or their aſſignes: and if it ſhall chance any of the ſaid Forreſters, rulers &c. at any time to take any perſon or perſons, being the Kings true ſubiects, or otherwiſe in league and amity with our Soueraigne Lord, his heires or ſucceſſors, Kings or Quænes of England, as is aforeſaid, and eract and take of them, or of any of them, any of the ſaid forfaitures, fines, tolles, cuſtomes, or eractions, as is aboue mencioned, and be thereof lawfully conuicted: Then he or they ſo doing and offending contrarie to this Act, to incurre and ſtand in danger of the Statute heretofore prouided for robberies by the Kings high way, and the ſame to be tried before the Juſtices of the Peace in the next Shire adiopnant, according *Eractions taken in Forreſts in Wales.* 27.H.8.r.S. Clergie.13.

according to the Law of this Realme of England. 27.H.8.7.

Redelinery of straies or theefe stolne goods.

113 If any maner of beast or quicke cattell of any of the Kings true subiects, or other the K. friends, at any time do come into any of the said forrests by straies, theefe stollen, or otherwise, and there be marked and seised of any of the said forresters, rulers, walkers, farmers, or their assignes, or any of them, & the owner or owners of the same cattell, within any one yeare and a day then nert ensuing, chance to find the said cattell so taken, & lawfully proue the same to be his or their owne proper cattell, then the same cattell shall be redelivered to the owner or owners thereof, according to the ancient law of this Realme of England, the said owner or owners reasonably paying for the keeping of such cattel, after the rate of the time that such cattell shall haue bẽn in the custody of any such forresters, rulers &c. or his or their assignes, in such maner & forme, as heretofore hath bẽn in like case vsed to be done by the owners within a yẽre and a day nert after the seising of the same cattell. And if any of the said forresters, rulers, &c. or their assignes doe denie the deliuerance of any such cattel, by them or any of them so seised or marked within any of the said forrests, after the owner & owners of them, shall haue duely and lawfully prowed them to be his or their owne proper gods or cattels, as is aforesaid: Then euery such forrester, ruler, walker, farmer, or their assignes so doing & offending contrarie to this Act, shal forfait & pay vnto the partie grieued, the double value of all such cattell, as shall be so taken and marked, & not delinered to the owner or owners as is aforesaid. And the partie grieued may haue his action of Detinue at the common law, of and for the same cattell against euery such offender or offenders, and the same to be tried in the nert shire adioynant, wherein no W. E. P. &c. And like processe of outlawry shal be had and made in the said action of Detinue in the nert shire adioinant against euery forrester, ruler, &c. or their assignes so offending contrary to the tenor of this Act, as in an action of Trespas at the common law of this Realme is vsed. 27.H.8.7.

A baily for keeping of a Jury.

114 Forthwith vpon the charge giuen to any enquest to be taken and sworne before any Justices, Steward, Lieutenant, or other officer within Wales, or the marches of the same, of, for, and vpon any trauerse against the King, or the triall of any Recognisance broken, or any other forfaiture forfaited to the King, or of for and vpon the triall of any murderer, felon, or accessarie of felony or murder: one officer or other person shall be deputed, and sworne in the presence of the said Justiciar, or other officer, for the true and diligent keeping of the same Jurors. And the same officer or other person so sworne, without the speciall commaundement of the said Justiciar, or other officer, shall not doe, or suffer to be ministred to the same Jurors, any bread, drinke, or meate, fire or light, nor shall suffer the same Jurors to speake to any person or persons, nor the same officer or other person sworne, without the commaundement aforesaid, shall speake to the said Jurors, but onely to demaund of them of their agreement, vntill such time as the same Jurors shall haue giuen their verdict, any vsage or custome heretofore vsed to the contrarie notwithstanding. And if the same officer or other person so sworne in forme aforesaid, doe not execute and accomplish the premisses in the oath before rehearsed, in euery point and article: Then he shall be punished and imprisoned, and make fine and ransome to the King, by the discretion of the said Justiciar, Steward, Lieutenant, or other officer, 26.H.8.4.

Vntrue verdict.

115 If the same Jurors doe acquite any such felon, murderer, or accessarie, vpon whose triall they shall be charged, or giue any vntrue verdict against the King vpon the triall of any Trauers, Recognisance, or other forfaiture, contrarie to the good and pregnant euidence ministred to them by persons sworne before the said Justiciar, Steward, Lieutenant, or other officer, or that the said Jurors, or any of them do eate, drinke, or speake, to, or with any person or persons, then

to

to ſuch as be ſworne with them or otherwiſe miſdemeane themſelues, after they be ſworne, and before they haue giuen their verdict, then the Lord Preſident, or other the counſell of the marches for the time being, vpon notice or complaint thereof to be made, ſhall not onely haue authoritie to call ſuch Iurors before them, but alſo the ſame Iuſticiar, Steward, or other officers afore whom any ſuch acquitall, vntrue verdict, or miſdemeanours ſhall happen to be made, ſhall haue full power to compell ſuch Iurors and euery of them, vpon paine of impriſonment, to be bounden by recogniſance in a certaine ſumme of money by their diſcretion to be limited, that the ſame Iurors and euery of them ſhall perſonally appeare at a certaine day by the ſame Iuſticiar, Steward, or other officer to be limited, before the Lord Preſident, and other of the Counſell aforeſaid, for the time being, then and there to abide and ſtand to ſuch direction and order, as the ſame Counſell ſhall make, ordaine, and decree, of, in, and vpon the ſame. And the ſame Counſell ſhall thereupon haue authoritie by examination or otherwiſe, to heare and determine all and euery ſuch cauſe, and ſhall haue like authoritie to commit euery of the ſame Iurors to priſon, or other puniſhment, as ſhall be thought meete by the diſcretion of the ſaid counſell, or otherwiſe aſſeſſe or tare euery ſuch Iuror to his fine or ranſome by the ſame diſcretion, to be paied and leuied of their lands, goods, and cattels to the vſe of the King. 26. H. 8. 4.

A Burgeſſe for Hauerford weſt.

116 The towne of Hauerford weſt ſhall for euer find one Burgeſſe for the ſaid towne at euery Parliament, to be holden in England, and the charges of the ſame Burgeſſe ſhall be alwaies borne by the Maior, Burgeſſes, and inhabitants of the ſaid towne, and none other. 34. H 8.

Knights and Burgeſſes for the parliament.

117 For all Parliaments, to be holden for this Realme, one Knight ſhal be choſen to the ſame Parliaments for euery of the Shires of Brecknock, Radnor, Mountgomery, and Denbigh, and for euery other ſhire within the ſaid country of Wales, & for euery borough being a ſhire town within the ſaid country of Wales, one Burgeſſe (except the ſhire towne of the County of Merioneth) and the election to be in like maner, forme, & order, as Knights and burgeſſes of the Parliament be elected in other ſhires of this Realme (& to be named & choſen by the authoritie of the Kings writ, vnder the great ſeale of England, 34. H. 8.) & the Knights & Burgeſſes, and euery of them ſhall haue like dignitie, preheminence & priuiledge, & ſhal be allowed ſuch fees, as other Knights of the Parliament haue & be allowed, and the knights fees ſhall be leuied of the commons of the ſhire that they be elected in, & the Burgeſſes fees ſhalbe leuied, & gathered aſwel of the boroughs, & ſhire townes, that they be Burgeſſes of, as of all other auncient Boroughs within the ſame Shire. 27. H. 8. 26.

The wages of knights of the parliamẽt.

118 The Shirifes for the time being of euery of the twelue ſhires in Wales, and in the countie of Monmouth, haue authoritie to gather, and leuie, or cauſe to be gathered, or leuied the knights fees or wages of the inhabitants of the ry. ſhires, & of the ſaid county of Monmouth, which ought to pay the ſame, & the ſame ſo gathered ſhall pay, or cauſe to be paied to euery ſuch knight, or knights, or to his or their aſſignes, within two moneths nert after ſuch knight or knights ſhall deliuer or cauſe to be deliuered the Kings writ De ſolutione feodi Militis parliamenti to any ſuch Shirife, and euery ſuch ſhirife making default of paiment of the fee or wages in maner and forme aforeſaid, ſhall forfait to the King and I. rr. l. and if any ſhirife in any of the ſaid ry. ſhires and county ſhall make default of paiment of the ſaid wages &c. by a longer time then two moneths, then he ſhal forfeit for euery moneth that he ſhall make default rr. l. to be forfaited and leuied in maner & forme aforeſaid. 35. H. 8. 11.

The wages of Burgeſſes of the parliament.

119 Euery Maior and Bailife, and other head officers of cities, boroughs and townes in euery of the ſaid ry. Shires and county of Monmouth within like ſpace of

of two moneths after the receit of the Kings writ De ſolutione &c. ſhall leuie, gather and pay the wages & fées of their Burgeſſes, in maner and forme aforeſaid, and in and vnder like paines and forfaitures as is before mentioned, to be leuied of the goods and cattels of euery ſuch Maior, Bailife, and other head officers (to whom the kings ſaid writ ſhall be directed for the leuying of ſuch fées) making default of payment of the ſame to the Burgeſſes &c. 35. H. 8. 11.

By whom burgeſſes of the parliamẽt ſhal be choſen.

120 Becauſe the inhabitants of all Cities and Boroughs in euery of the twelue Shires in Wales and in the countie of Monmouth, not finding Burgeſſes for the Parliament themſelues, muſt beare and pay the Burgeſſes wages within the Shire Townes of and in euery the ſaid twelue Shires and Counties: the burgeſſes of euery of the ſaid Cities, Boroughs and Townes which be contributorie to the paiment of the Burgeſſes wages of the ſaid Shire Townes, ſhall be lawfully admoniſhed by Proclamation, or otherwiſe by the Maiors, Bailifes, or other head Officers of the ſaid Townes, or by one of them, to come and to giue their elections for the electing of the ſaid burgeſſes, at ſuch time and place lawfull and reaſonable, as ſhall be aſſigned for the ſame intent, by the ſaid Maiors, Bailifes &c. of the ſaid Shire Townes, or by one of them, in which election the Burgeſſes ſhall haue like voice and authority to elect, name, and chooſe the burgeſſes of euery of the ſaid Shire Towns, in ſuch maner as the burgeſſes of the ſaid Shire Towns haue, or vſe. 35. H. 8. 11.

Rating of boroughs for the Burgeſſes wages.

121 Two Juſtices of peace in euery ſhire in Wales and in the county of Monmouth haue authoritie indifferently to lot and tare euerie Citie, borough & towne within the ſaid ſhires and County wherein they do inhabit, for the portions and rates that euery of the ſaid Cities and boroughs ſhall beare and pay towards the burgeſſes within the ſaid ſhire townes of euery of the ſaid ſhires & counties, which rates ſo rated & tared in groſſe by the ſaid two Juſtices, ſhall be againe rated and tared on the inhabitants of euery of the ſaid cities and boroughs by foure or fiue diſcréet & ſubſtantiall burgeſſes of euery of the ſaid cities and boroughes in Wales thereunto named and aſſigned by the Maior, Bailifes, or other head officers of the ſaid Cities, townes and boroughs, for the time being, and thereupon the Maior, bailifes, &c. of euery ſuch citie borough, &c. ſhall gather the ſame, & thereof make paiment to the Burgeſſes of the parliament, within like time, & vpon like paines & forfaiture as is aforeſaid. 35. H. 8. 11.

Lords marchers tenants vnder cõmon mainprize.

122 Becauſe Lords Marchers in times paſt haue vſed to put their tenants within the Lordſhips Marchers, vnder common mainprize and ſuertie of apparance, and haue had the forfaiture thereof (which for euer ſhall vtterlie ceaſe and determine. 27. H. 8. 26.) Therfore aſwell the Quéenes ſpirituall and eccleſiaſticall ſubiects, Lords marchers, hauing lordſhips marchers, or lordſhips royall in Wales, and their ſucceſſors, and the ſucceſſors of euery of them, as alſo the heires and ſucceſſors of the Lords tempozall marchers within their Lordſhips marchers and Lordſhips royall in the dominion or principalitie of Wales, ſhall haue and enioy to them and to their heires and ſucceſſors reſpectiuely and ſeuerally for euer, the moitie and halfe of euery forfaiture of all and euerie common mainprize, recogniſance for the Peace, or apparance forfaited by any their tenants, inhabiting within any of their Lordſhips marchers, or lordſhips royall, and they to be paid the ſame moitie by the hands of the Shiriſes of euery of the ſaid Counties where ſuch forfaiture ſhall be, if the Shiriſe can leuie the ſame, and the ſame Shiriſe to accompt to the Quéene for the other moitie, and further ſhall haue all ſuch miſes and profits of their tenants as the Lords marchers ſpirituall or tempozall reſpectiuely or ſeuerally, had, or vſed to haue, at their firſt entrie into their Lands in times paſt, before the making of the ſaid ſtatute of 27. H. 8. and alſo ſhall haue, hold, and kœpe within the precinct of their ſaid Lordſhips, all ſuch Court Barons,

Lords marchers ſhall haue the moity of the forfaiture of their tenants.

Courts

Courts Leete, and lawdaies, and al and euery thing and things to the same courts belonging, and also shall haue within the precinct of their said seuerall lordships or lawdaies, all such waike, straie, infangthefe, outfangthefe, treasure troue, deodands, goods and cattels of felons, and of persons condemned or outlawed of felony or murder, or put in erigent for felonie or murder, and also all such wrecke de mere, wharfage and customes of strangers, as the Lords marchers, spirituall and temporall respectiuely and seuerally had and vsed in times past before the making of the said statute of 27. H. 8. 1. & 2. P. & M. 15. L. Marchers shall retaine their priuiledges.

123 The tenants and reſiants in Wales shall pay their tallage at the change of their Lords, in such places & after such forme as haue bin accustomed in Wales. 34. H. 8. Subsidies.

124 All the kings subiects and reſiants in Wales shal be charged and chargeable to all subsidies, & other charges to be granted by the commons of any parliament holden in England, and shall pay all other rents, farmes, customes, and duties to the king as they haue bin accustomed (fines for redemption of sessions onely except.) 34. H. 8. Tallage.

125 The Bishops of Hereford, S. Dauies, Asaph, Bangor, and Landaph, and their successors, shall take such order amongst themselues for the soules health of the flocks committed to their charge within Wales, that the whole Bible containing the New Testament and the Old, with the booke of Common praier, and administration of the Sacraments, as is now vsed within the Realme in English, to be truely and exactly translated into the Britis or Welch tongue, and that the same so translated, being by them viewed, perused, and allowed, be imprinted to such number at the least, that one of either sort may be had for euery cathedrall, collegiat, and parish Church and Chappell of ease, in such places and countries of euery of the said Dioceses where that tongue is commonly spoken or vsed, before the first day of March, An. Dom. 1566. And that from that day forth, the whole diuine seruice shall be vsed and said by the curats and ministers throughout all the said Dioceses where the Welch tongue is commonly vsed, in the said Britis or Welch tongue in such maner and forme as is now vsed in the English tongue, & differing nothing in any order or forme from the English booke. For the which bookes so imprinted, the parishioners of euery of the said parishes, shall pay the one halfe or moitie, and the Parson and Vicar of euery of the said Parishes (where both be) or else the one of them, where there is but one, shall pay the other halfe or moitie. The prices of which Bookes shall be appointed and rated by the said Bishops, and their successors, or by three of them at the least. The which things if the said Bishops, or their successors, neglect to do, then euery one of them shall forfaite to the Queenes Maiestie, her heires and successors, the summe of xl. l. to be leuied of their goods and cattels. 5. Eliz. 28. The Bible & booke of Common Prayer translated into the welsh tongue.

126 And one booke containing the Bible, and one other booke of Common Prayer in the English tongue, shal be bought and had in euery Church throughout Wales, in which the Bible and booke of Common Prayer in Welch is to be had by force of this Act (if there be none already before the first day of March. 1566.) and the same bookes to remaine in such conuenient places, within the said Churches, that such as vnderstand them may resort at all conuenient times to reade and peruse the same. And also such as do not vnderstand the said language, may by conferring both tongues together, the soner attaine to the knowledge of the English tongue. Any thing in this act &c. notwithstanding. 5. Eliz. 28. in a Statute not imprinted. A Bible and booke of Common praier in English, shall be in euery Church in Wales.

¶ In the time of king H. the 4. it was prouided by seuerall Statutes, that no Welch man (except he were a Bishop, or a temporal Lord) should haue any Castle, fortresse, or house defensiue of his owne, but such as had been vsed in the time of king

king Edward the Conqerour of Wales nor that an Welſhmen ſhould be made Iuſtice, Chanceller, Chamberlaine, Treaſurer, Shirife, Steward, Conſtable of caſtle, chiefe foſter, nor other officer, nor Lieutenant, in any of the ſaid offices in any part of Wales, nor of counſell with any Engliſh Lord (biſhops and ſuch as were tried faithfull and obedient ſubiects except) nor that any Engliſh man maried to any Welch woman, ſhould be put in any office in Wales, nor ſhould haue any franchiſes with Engliſh burgeſſes, nor that any perſon ſhould carry any vitaile or armour into Wales, without the Kings or Councels licence, ſauing to ſtore the Engliſh caſtles and townes, nor that any Engliſh man ſhould be conuict by any Welſh man in any court in Wales, but by Engliſh men of the next venue, and of good fame, nor that any Welſh man ſhould purchaſe any Land in England, or in Engliſh townes in Wales, nor ſhould be burgeſſe, or haue any other libertie within any of them. But it ſeemeth that the force of thoſe ſtatutes is taken away by the ſtatute of 27.H.8.26. Therefore ſee the firſt branch of this title &c. and Quære.

Quære.

1 For exigents and other proces for and againſt any perſons dwelling in Wales. S. Exigents 6.9.

2 Shirifes in Wales ſhall haue deputies in the Kings bench & Common place. S. Exigent 7.8.

3 A Tales De circumſtantibus is to be granted in the xij. ſhires in Wales. S. Iurors 23.

4 The act prouided for Tanners, Curriers, Shomakers &c. ſhall be conſtrued to extend to Wales, as amply as it doth to England. S. Leather 47.

5 In what ſort Mortuaries ſhall be paid in Wales and the Marches. S. Mortuaries 5.

6 For the triall of Treaſons and miſpriſion of treaſon committed in Wales, or the marches thereof S. Treaſon 12.

7 For money paid in Wales for the redemption of forfaitures. S. Rents 1.

8 For the authoritie of commiſſioners of Sewers in the countie of Glamorgan in Wales. S. Sewers 6.

9 For the inrolling of fines and recoueries in the twelue ſhires in Wales, and in the towne and countie of Hauerford Weſt &c. S. Fines 31. &c. S. 5. Eliz. 25.

Wards, Wardſhips, Marriage.

A tenant infeoffeth his heire to defeat wardſhips.

IF any man do enfeoffe his eldeſt ſonne or heire, being within age, of his inheritance, that thereby the Lord might loſe his wardſhip, yet notwithſtanding ſuch feoffement, the chiefe Lord ſhall haue his wardſhip. Marleb. 52. H. 3. 6.

Fraudulent conueyance to defeat the lord of wardſhip.

2 If any perſons meaning to demiſe their lands for terme of certaine yéres, (that they might thereby defeat the Lords of the fée, of their wardſhips) will faine falſe feoffements, containing that they are ſatiſfied of the whole ſeruice due vnto them vntill a certaine terme, & that ſuch feoffées are bound to pay at the ſaid terme a great ſumme to the value of the ſame lands, or much aboue, ſo that after the ſame terme the land ſhall reuert to them or their heires, for that no man will deſire to hold the ſame at ſo great a price, yet by ſuch fraud no chiefe Lord ſhal loſe his wardſhip. But it is not lawful for ſuch Lords to diſſeiſe the feoffées without iudgement thereupon giuen, but they ſhall haue a writ to haue the wardſhip deliuered vnto them: & then it ſhall be tried by the witneſſes named in the déed of feoffement, with other good & freemen of the countrey, by the quantitie and value of the land, and the quantitie of the ſumme paiable after the terme, whether ſuch feoffement, were made in good faith, or by fraud to defeat the Lord of his wardſhip. And if the chiefe Lords do by iudgement of the Court recouer their wardſhip, yet the feoffées ſhall haue their action reſerued to recouer their terme or fée when the heires ſhal come to their

Electione cuſtodiæ.

their lawfull age. And if any chiefe Lords doe maliciouſly implead ſuch feoffées, fayning this caſe where the feoffements were made lawfully and in good trueth, then the feoffées ſhal haue their damages & coſtes awarded vnto them, which they ſuſtained by reaſon of the foreſaid ſuit: and alſo the plaintifes ſhall be grieuouſly amerced. In a plea of Communi cuſtodia, if the deforeors come not at the great diſtreſſe, then the writ ſhall be renewed twice, or thrice, at ſuch times as it may be done within the halfe yeare following, ſo that euery time the writ ſhall be read in the open County (if the deforeor be not found before) and there openly be proclaimed, that he may come at the day limitted. And if he doe then abſent himſelfe, ſo that he come not to anſwere within the ſaid halfe yeare, nor that the Shirife can find him to haue his body before the Juſtices, to anſwere according to the law and cuſtome of the Realme, then as a Rebell, and one that will not be iuſtified, he ſhall loſe the ſeiſin of the Ward: Sauing to him his action at an other time, if he hath any right to the ward. But in caſes where Wardſhips do belong to Gardeines of heires being within age, and where the Gardeines do demaund a wardſhip which belongeth to the heire, or as appertayning to their inheritance: ſuch heires within age ſhall not loſe their inheritance by the negligence or ſtubbornelle of their Gardeins, as in the caſe aforeſaid, but the Common Law ſhall proceed as it had wont to do. Marlb. 52. H. 3. 6. 7.

The proces in communi cuſtodia.

Gard by reaſon of gard.

3 If the heire of an Earle, Baron, or Knight be within age, his Lord ſhall not haue the ward of him, nor of his land, before he hath taken of him Homage. And after ſuch an heire hath been in ward, when he is come to full age of xxj. yeares, he ſhall haue his inheritance without reliefe and fine, ſo that if ſuch an heire being within age, be made Knight, yet neuertheleſſe his land ſhall remaine in the Lords cuſtodie, vntill the terme aforeſaid. Magna charta. 9. H. 3. 3.

After wardſhip, no relefe nor fine.

A ward made knight.

4 If any Lay man, friend, or other, do with force againſt the K. peace withhold, lead away, or marrie any heire vnder the age of xiiij. yeares, and is thereof conuict, he ſhall pay to the partie from whom the ſaid heire is taken, the value of the marriage, and ſhall be impriſoned vntill he hath paied the ſaid value, if the child be married, and alſo vntill he hath ſatiſfied the King for the treſpas. Merton. 20. H. 3. 6. Weſtm 1. 3. E. 1. 22. S. Women 6. 7. 8. 12.

Rauiſhment of ward.

5 He which doth rauiſh, and take away any man, or woman child (whoſe mariage belongeth to an other) hauing himſelfe no right in the ſame mariage, although he do after reſtore the child vnmaried, or doth make ſatisfaction for the mariage, yet ſhall he be two yeares impriſoned for his offence: and if he do not reſtore the heire, or do marrie him after the yeares of conſent, and is not able to make ſatisfaction for the marrige, he ſhall abiure the Realme, or haue perpetuall impryſonment, & thereupon the plaintife ſhall haue a writ of Rauiſhment of ward. And if the heire chance to die before he be reſtored, or can be found, yet the ſuit ſhall proceed betwen them, vntill it be tried who ought to haue had the mariage, if he had been lyuing: for the wrongful Rauiſher of ſuch a ward, ſhal not be excuſed or eaſed of his punihment, by the death of the heire, which he did wrongfully withhold during his life. And if the plaintife do die before the ſuit be determined betwirt them, if the right did belong vnto him, by reaſon of his owne proper fée, the plée ſhall be reſummoned at the ſuit of the plaintifes heire, and ſhall paſſe in due order: But if the right did belong vnto him, by reaſon of any other title, or by gift, ſale, or ſuch like, then the plée ſhal be reſummoned at the ſuit of the plaintifes executors, & ſhall paſſe &c. In like ſort, if the defendant die before the plée be determined, or the heire reſtored, the ſuit ſhall proceed by reſummons betwirt the plaintife, or his heire, or executors, and the executors of the defendant, or his heires, if the executors be not ſufficient, as concerning the ſatisfaction of the value of the mariage, be not to the impriſonment (for in that ſort one man ſhal not be puniſhed for an others offence)

The heire dyeth.

The plaintife dyeth.

The defendant dyeth.

Communi cuſtodia.

In like ſort, when any ſuit dependeth betwæne parties for the Ward of an heire, or land, or of both, by the common writ de Communi cuſtodia, reſummons ſhal be made betweene the heire, & executors of the plaintife, and the heire and executors of the defendant, if death preuent any of the parties before the ſuit determined: And when they haue paſſed to the great diſtreſſe, there ſhal be a time giuen, wherin there may be holden three Counties at the leaſt, in euery of which Counties there ſhal be open proclamation made, that the defendor ſhall appeare in the Common Place, at the day contained in the writ, to anſwere the plaintife, at which day if he do not appeare, and the proclamation be ſo teſtified, the firſt, ſecond, and third time, Iudgement ſhall be giuen for the plaintife, ſauing the defendants right, if he will at an other time defend the ſame. In the ſame maner it ſhall be done in an action of Treſpas, when a man complayneth himſelfe to be eiect from ſuch wardſhips. Weſtm 2. 13.E.1.35.

Electione cuſtodiæ.

Forisfactura maritagij.

6 If any Heire being aboue xiiij. yeares of age, and vnder xxj. marrie without the licence of his Lord, to defeat him of his marriage, and the Lord do offer him a reaſonable and conuenient marriage (without diſparagement) then his Lord ſhal retaine his land aboue his age of xxj. yeares, ſo long that he may thereof receiue the double value of his marriage, according to the eſtimation of lawfull men, or according to that he hath been offered before, without fraud and malice, for the ſame marriage, and according to that it may be proued in the Kings Court. Merton. 20.H.3.6. Weſtm 1. 3. Ed. 1. 22.

Valore maritagij.

7 If an Heire (of what age ſoeuer he be) will not marrie at the Lords appointment, he ſhall not be thereunto compelled, but when he commeth to his full age, he ſhall ſatiſfie his Lord of ſo much as he might haue receiued of an other for his marriage, before he ſhall haue his land, and that ſhall he do whether he will marrie himſelfe, or not, for that the marriage of an heire within age is due to the Lord of the fee. Merton. 20.H.3.7.

A gardian maketh a feoffement of the heires lands.

8 If a Gardian, or chiefe Lord infeoffe any man of land, which is the inheritance of a Child within age, and in his ward, to the diſheritance of the heire, the heire ſhall forthwith haue his recouerie by Aſſiſe of Nouel diſſeiſin, againſt his Gardian, and againſt the Tenant, & the ſeiſin ſhall be deliuered by the Iuſtices (if it be recouered) to the next friend of the heire to whom it cannot diſcend, for to improue to the heires vſe, and to anſwere the iſſues to the heire when he commeth to full age: and the Gardian ſhall loſe during his life, the wardſhip of the thing recouered, and all the reſidue of the inheritance which he holdeth in the name or right of the heire, and if any other Gardian then the chiefe Lord do it, he ſhall loſe the cuſtodie of all that thing, & ſhall be grieuouſly puniſhed by the King. And if an Infant be carried away, or diſturbed by the Gardian, or by his Feoffee, or any other, by reaſon whereof he cannot ſue his Aſſiſe, one of his next friends that will, ſhall be allowed to ſue for him. Weſt. 1. 3.Ed.1.47. S. Aſſiſe 2.

Suit by Procheine Amie.

A remedie for the heire of ful age to recouer his land from his Lord.

9 If any Heire after the death of his Auncеſtor be within age, and his Lord, hath the wardſhip of his lands, if his Lord will not deliuer him his lands when he commeth to full age without ſuit in Law, the heire ſhall recouer his land by Aſſiſe of Mortdaunceſter, with the damages that he hath ſuſtained by the withholding thereof, ſince the time he was of full age. And if an Heire at the time of the auncеſtors death be of full age, and is heire apparant, and knowne for heire, and found in the inheritance, the chiefe Lord ſhall not put him out, nor take, nor remoue any thing there, but onely ſhall take ſimple ſeiſin for confeſſion of his Seigniorie, that he may be knowne to be Lord. And if the chiefe Lord do maliciouſly hold ſuch an Heire out of poſſeſſion, whereby he is driuen to purchaſe an Aſſiſe of Mortdaunceſter, or writ of Coſinage, then he ſhall recouer his damages, as in Aſſiſe of Nouel diſſeiſin. Marlb. 52.H.3.16.

The heire of full age at the death of his auncеſtor, ſhall onely pay Reliefe.

10 The Gardian in chiualrie of an Heire within age, ſhall take of the heires lands but reaſonable iſſues, cuſtomes, and ſeruices, & that without deſtruction and waſt of his men, & other commodities, and ſo long as he hath the wardſhip of the ſame heire, he ſhall maintaine his houſes, parks, ſtagnes, pools, mils, and all other things belonging to the ſame lands, with the profits of the ſame, and ſhall deliuer to the heire when he commeth to his full age, his ground ſtored with ploughes, & all other things (at the leaſt as he receiued it) Mag. chart. 9. H. 3. 5. And if a Gardian do commit waſt, he ſhall loſe the wardſhip: & if the loſſe of the wardſhip vntill the full age of the heire be not ſufficient to recompence the damages of the waſt, he ſhall alſo anſwere to the heire damages. Glouceſt. 6. E. 1. 5. The Gardian ſhall make no waſt of the heires lands.

11 The Gardians of an heire within age, which holdeth his land in Socage, ſhall commit no waſt, deſtruction, or ſale, in the ſame inheritance, but ſhall ſafely keepe it to the vſe of the heire, ſo that when he commeth to his full age, they ſhall make him accompt, & anſwere him of the iſſues of the ſame land: Sauing to them their reaſonable charges. Neither may the ſame Gardians giue or ſell the wardſhip of the ſame heire, but onely to his profit. Marlb. 52. H. 3. 17. Gardian in Socage.

12 If the Lord of an Heire female to whom the mariage belongeth will not marrie her, after ſhe hath accompliſhed the age of viij. yeares, but for couetous lucre of the land will keepe her vnmarried, he ſhall not haue nor keepe by reaſon of mariage the land of ſuch heire female, more then two yeares after the ſaid terme of viij. yeares: and if the Lord within the ſaid two yeares do not marie her, then ſhe ſhall haue an action to recouer her inheritance, without giuing any thing for her wardſhip, or mariage. Weſt. 1. 3. E. 1. 22. But the Law of the Realme is, that if a woman be of the age of viij. yeares, at the time of the death of her anceſtor, ſhe ſhall haue liuerie of her lands diſcended vnto her. 39. H. 6. 2. At what age an heire female ſhall be out of ward.

13 If an heire female, of malice, or by euill counſell will not be married by her chiefe Lord, where ſhe ſhal not be diſparaged, then her Lord may retaine her land & inheritance vntill ſhe hath accompliſhed the age of an heire male, viz. of xxj. yeares and aboue, vntill he hath receiued the value of her mariage. Weſt. 1. 3. Ed. 1. 22. The heire female refuſing marriage.

14 If one inheritance diſcend to any Infant within age of the fathers ſide, which held of one Lord, & an other of the mothers ſide, that held of an other Lord, that Lord ſhall haue the marriage, of whom the childes auncestor was firſt infeoffed, without hauing reſpect to the fere or quantitie of the land, but onely to the more auncient feoffement by Knights ſeruice. Weſtm 2. 13. Ed. 1. 16. 28. Ed. 1. Priorities of feoffement giueth title of wardſhip.

15 Heires ſhall be married without diſparagement. Mag. chart. 9. H. 3. 6. And if any Lords do marie thoſe which they haue in ward, being within the age of viij. yeares (ſo that they cannot conſent to marriage) to villains, or other ſuch kind of Borough men, where they are diſparaged, then if the wards frinds do complaine thereof, the Lord ſhall loſe the wardſhip, vntill the full age of the heire, and the profit that ſhall be thereof taken, ſhal be conuerted to the vſe of the heire which is within age, according to the diſpoſition of his friends, for the ſhame which is done vnto him: But if he be of the age of viij. yeares and aboue, ſo that he may & do conſent to ſuch marriage, no paine ſhall follow. Merton. 20. H. 3. 6. Diſparagement of the heire.

16. Where Reliefe ſhall be giuen, there marriage is incident, & è conuerſo. Such as hold in Serieantie to go with the K. in his hoſt, there ward and reliefe do belong. Such as hold by petit Serieanty, as to beare ſhield or ſpeare in the K. hoſt, to beare or carrie, there lyeth neither Ward, Mariage, nor Reliefe. A frée Sokeman ſhall not giue ward nor reliefe, but he ſhall double his rent after the death of his auncestor, according as he was wont to pay, & ſhall not be vnmeaſurably grieued. There be two maner of writs to recouer wards: one is where lands be holden by Knights ſeruice, the other where a man doth hold land of an other in Socage. The ward of land that is holden by knights ſeruice, doth belong to the chiefe Lord, Tenure by knights ſeruice. Petit Serieantie.

vntill the heires age of xxj. yeares, & the marriage. And he ought to be ſo married, that he be not diſparaged. The ward of an heire which holdeth in Socage, if the land or inheritance diſcend on the Mothers ſide, belongeth to the next friend on the Fathers ſide, & è conuerſo. A writ to recouer Ward may be brought in three maners. One is, when a man demandeth the ward of the land and heire, & that is in caſe where one man holdeth lands of an other by knights ſeruice, & the tenant dieth, then may the chiefe Lord, if he be deſorced demand the ward of the land & heire, and ſhall haue both ward & marriage. An other maner is, when a man is infeoffed of one yard land by one man, & of an other by an other man, the ſecond Lord may not bring a writ of Ward to recouer either the land, or the heire, for the ward belongeth to the Lord of whom he was firſt infeoffed. The third maner is, where a man hath land in his hands by reaſon of a ward, and hath not the heire, then he may bring a writ to demand the heire, and not the land. Añ 28. E. 1. de Wardis & Releuijs.

Who ſhall be gardein in Socage.

Three writs of wards.

Wardſhip of them which hold by knights ſeruice in chiefe.

17 The King ſhall haue the Wardſhip of all their lands which hold of him in chiefe, by knights ſeruice, whereof the tenants were ſeiſed in their demeſnes as of fée, the day of their death, of whom ſoeuer they hold by like ſeruice, ſo that they held of auncient time any lands of the King, as of his Crowne, vntill the heire come vnto his lawfull age (except the fées of the Biſhops of Canterbury, and Durham, betwéene Mine and Mées, and of Earles and Barons of the Marches &c.) Prerog. Reg. 17. E. 2. 1. And therefore, becauſe the King ſhall haue aſwell thoſe lands which be holden of others, as which be holden of himſelfe, whereof his tenant died ſeiſed during the minoritie of the heire, and vntill he hath ſued Liuerie, ſuch meſne Lords during ſuch minoritie, ſhall receiue the rents due to them for the ſame lands holden of them, by the hands of ſuch of the Kings officers, as be appointed to receiue & take the profits & reuenues of the ſame lands ſo holden of ſuch meſne Lords, during the minoritie of ſuch heire, and vntill he ſue his Liuerie. And ſuch heire vntill he ſhall, or conueniently might haue ſued his Liuerie, ſhall be thereof diſcharged. And ſuch Officer ſhall vpon requeſt made, pay the ſame to ſuch meſne Lords, they giuing to him a ſufficient acquitance, and ſuch payment and acquitance ſhewed, ſhall be to the ſame Officer a ſufficient diſcharge vpon his accompt. 2. Ed. 6. 8. S. Prærog. 1. S. Office 1.

How the meane Lords ſhal be anſwered their chiefe rent, during the heires minoritie.

Tenure of the K. by fée ferme or Socage.

18 If any do hold of the K. by Fée ferme, or Socage, or Burgage, & he holdeth lands of an other by knights ſeruice, the K. ſhall not haue the cuſtodie of his heire, nor of his land, which is holden of an other mans fée, by reaſon of the Fée ferme, Socage, or Burgage: Neither ſhall he haue the cuſtodie of ſuch Fée ferme, Socage, or Burgage, except knights ſeruice be due vnto him out of the ſaid Fée ferme: Neither ſhall he haue the cuſtodie of the heire, or of any land holden of an other by knights ſeruice, by occaſion of any petit Sergeantie that any man holdeth of him, to pay a knife, an arrow, or other like thing. Mag. chart. 27.

Petit Sergeantie.

Mariage.

19 The King ſhall haue the marriage of an heire being within age, and in his cuſtodie, whether the land of ſuch heire haue of auncient time béen holden of the Crowne, or that it came by reaſon of Eſcheat being in the K. hands, or that he hath the marriage by reaſon of the ward of the Lord of ſuch heire, without reſpect of priority of feoffement, although the heire hold of others. Prerog. Reg. 17. E. 2. 2.

The K. woman tenant married in the life of her auncestor.

20 If a woman before the death of her auncestor, which held of the K. in chiefe, be married before ſhée be marriageable, then the King ſhall haue the wardſhip of the ſame woman, vntill ſhée be of the age able to conſent, and then ſhée may chuſe whether ſhée will haue him, to whom ſhée was firſt married, or him that the King will offer her. Prerog. Reg. 17. E. 2. 5.

Waſt in wards land by the King committee.

21 If the King do commit the wardſhip of the land of any heire in his cuſtodie to the Shirife, or any other to anſwere to his Grace the profits of the ſame lands,

and

and he do make waſt or deſtruction in the wardſhip, he ſhall make amends to the King, & the lands ſhall be committed to two lawfull and diſcréet men of the ſame fée, which ſhall aunſwere the King, or him which he will aſſigne, the profits of the ſame lands. Mag. chart. 4.

22 If the King do giue or ſell to any man the wardſhip of any ſuch land, and he doth make waſt or deſtruction therein, he ſhall loſe the wardſhip, and it ſhall be deliuered to two lawfull and diſcréet men of the ſame fée, which ſhall aunſwere the king the profits &c. Mag. chart. 9. H. 3. 4.

Waſt in wards lands by the King graunted.

23 An Eſcheator ſhall haue no fée of wood, Veniſon, Fiſh, nor other things, but ſhall annſwere to the King the iſſues and profits yearely comming of wards lands, without doing waſt or deſtruction. And if any Eſcheator, or Subeſcheator, do commit waſt in any wards lands, as in houſes, woods, parks, warrens, or other things that fall into the Kings hands, he that hath receiued the loſſe ſhall haue an action of Waſt out of the Chauncerie againſt the Eſcheator, for his act, and the Subeſcheator for his fact (if he haue whereof) and if haue not, his maſter ſhall be aunſwerable for the damages. And if the Eſcheator be attainted of waſt, he ſhall be puniſhed at the kings pleaſure, & yéeld to the heire treble damages at the heires owne ſuit, aſwell within age, as of full age, and his friends, as long as he is within age, ſhall haue the ſuit for him, anſwering to the heire that which ſhall be recouered. Articuli ſuper chart. 28. E. 1. 18. 36. E. 3. 13.

An Eſcheator ſhall haue no fée, nor commit waſt in wards lands.

24 If any perſon or perſons, hauing eſtate of inheritance, of, or in any manors, lands, tenements, or hereditaments, holden of the king by knights ſeruice in chiefe, or otherwiſe of the king by knights ſeruice, or of any other perſon or perſons by knights ſeruice, haue giuen at any time ſithence the 11. day of July, 32. H. 8. Añ Dom. 1540. or hereafter ſhall giue, will, deuiſe, or aſſigne by will, or other act executed in his life, his manors, lands, tenements, or hereditaments, or any of them, by fraud or couin, to any other perſon or perſons, for terme of yeares, life, or liues, with one remainder ouer in fée, or with diuers remainders ouer for terme of yeares, life, or in taile, with remainder ouer in fée ſimple to any perſon or perſons, or to his, or their right heires: Or at any time ſithence the ſaid 11. day of July, hath conueyed, or hereafter ſhall conuey, or make by couin, (contrarie to the true intent of the Act prouided 34. H. 8. for the making of Wils) any eſtates, conditions, meſnalties, tenures, or conueyances, to the intent to defraud or deceiue the King of his Prerogatiue, primer ſeiſin, liuerie, reliefe, wardſhips, marriage, or rights, or any other Lords of their wardſhips, reliefes, heriots, or other profits, which ſhould or ought to accrue, grow, or come vnto them, or any of them, by, or after the death of his or their tenant, by force, and according to the Statutes made 32. H 8. 1. and 34. H. 8. 5. And the ſame eſtates, and other conueyances, being found by office to be ſo made, by couin, fraud, or deceit, contrarie to the true intent of the ſaid Acts: Then the King ſhall haue aſwell the wardſhip of the bodie, and cuſtodie of the lands, &c. as liuerie, primer ſeiſin, reliefe, and other profits, which ſhould or ought to appertaine to him, according to the true meaning of the ſaid Actes, as though no ſuch eſtates or conueyances by couin had neuer béen had or made, vntill the ſaid office be lawfully vndone by Trauerſe, or otherwiſe. And the other Lord and Lords, of whom any ſuch lands, &c. ſhall be holden by knights ſeruice, as is aforeſaid, ſhall haue their remedie in ſuch caſes, for his or their wardſhips of bodie and lands, by writ of Right of ward, and ſhall diſtraine and make auowrie or cogniſance by themſelues, or their Bailifes, for their reliefes, heriots, and other profits, which ſhould haue béen to them due, by, or after the death of their tenant, as if no ſuch eſtate or conueyance had béen had or made: Sauing the right and title of the donées, feoffées, leaſées, and deuiſées thereof, againſt the ſaid deuiſor, and his heires, after the intereſt and title of the King or other

Fraudulent conueyance to defeat wardſhip, &c.

The doners title lawed after the Lords intereſt determined.

Lord therein ended. 34.H.8.5.

Wardſhip by reaſon of a remainder only.

25 If two or moe do hold any lands, tenements, or hereditaments, of the King by Knights ſeruice iointly to them, and the heires of one of them, and he that hath the inheritance thereof dyeth, his heire being within age, the king ſhall haue the Ward and marriage of the bodie of ſuch Heire, the life of the Freholder, or Freholders of the ſaid lands, tenements, &c. notwithſtanding. 32. H. 8. 1.

All the kings wards, & their lands in the order of the Court of Wards and Liueries.

26 All Wards which the King is intituled to haue, with their manors, lands, tenements, rents, remainders, reuerſions, ſeruices, & all other hereditaments, as well in poſſeſſion, as reuerſion, and all reuenues, iſſues, and profits of the ſame, for the time the ſame be, or ought to be in the kings poſſeſſion, ſhall be in the order, ſuruey, and gouernment of the K. Court of Wards and Liueries, and the miniſters of the ſame. 32. H. 8. 46. And all Liueries which ſhall be ſued out of the hands of the King, his heires and ſucceſſors, and out of the hands of any of them, of any Caſtels, honors, manors, lands, tenements, rents, reuerſions, remainders, or other hereditaments whatſoeuer they be, ſhal be in the order, ſuruey, and gouernance of the ſaid Court of the kings Wards and Liueries, and of the miniſters of the ſame. 33. H. 8. 22.

The authority of the chiefe officers of the Court of wards and Liueries.

27 The Maſter, Atturney, Receiuer generall, and Auditors of the Court of Wardes and Liueries, or three of them, whereof the Maſter ſhall be one, haue authoritie to make ſale and graunt of the kings Wards, and euery of them, and part of their lands during their minoritie, the ſame ſale & graunt to paſſe by the K. bill aſſigned. And alſo the ſaid Maſter, with the aduice of the ſaid Atturney, and Receiuer, or one of them, haue authoritie without the Kings bill aſſigned, to

Graunts of wards.

make woodſales to the Kings vſe, of all vnderwoods, vpon any of the Kings

Woodſales.

wards lands, being lawfully in the Kings poſſeſſion. And to take and appoint

Reparations. Leaſes.

Timber for the neceſſarie reparations of all the caſtles, manors, lands, tenements, and parkes of the ſaid wards. And in the Kings name to make Leaſes during the minoritie of the ſaid wards, of all Lordſhips, manors, lands, and tenements, remayning in the Kings hands, and belonging to the ſaid wards, yeelding to the King ſuch rents, as ſhall be thought conuenient by the diſcretion and ſuruey of the ſaid Maſter, Atturney, Receiuer, and Auditors, or three of them, whereof the Maſter to be one. And alſo the ſaid Maſter, by the aduice of

5 Prerog. 4. 10. The Kings widowes.

the ſaid Atturney, Receiuer, and Auditors, or three of them, hath authoritie to ſuruey all the Kings Widowes, and to treate, commune, and conclude with all and euery one of them that haue maried themſelues without the Kings licence, for their reaſonable fines to be made to the Kings vſe, and to take and aſſeſſe the ſame by their diſcretion, according to the Statute of Prærogatiua Regis. And

Ideots.

alſo to ſuruey, gouerne, and order, all and ſinguler Ideots, and naturall Fooles, which be in the Kings hands, and all the manors, lands, and hereditaments &c. being in the Kings hands, or in the hands of any other perſon to their vſes, that do come, or be in his Graces hands, in the right of any of them, by reaſon of his Prerogatiue Royall. And by the ſaid aduice &c. three, or two of them, to let and ſet the manors, lands, and tenements, to the Kings vſe, for the time of the Kings intereſt, for ſuch rent and fine, as by their diſcretions ſhall be thought conuenient: the finding and keeping of the perſons, their wiues, and children, and the reparations of their ſaid houſes and lands alwayes to be conſidered. And the ſaid Maſter, with the aduice of the ſaid Atturney, Receiuer, or one of them, hath authoritie to call at all times before them, into the office of the Wards &c. by the proces of the ſame Court, euery perſon which is, or hath been the Kings

Intruſion.

Ward, intruding, or entring into, or vpon his lands, or vpon any part thereof, after his full age of one and twentie yeares, and before he hath ſued and

obtained

obtained his Liuerie, or Ouſter le maine for the ſame, out of the kings hands, vnder his great Seale, aſwell to make aunſwere for his intruſion vpon the Kings poſſeſſion, as to make payment to the kings Receiuer generall of the ſame court, of all ſuch rents, iſſues, and profits by him taken at any time after his full age of one and twentie yeares, and before Liuery ſued for the ſame out of the Kings hands. And the ſaid Maiſter in all places, and the ſaid Atturney, Receiuer generall, and Auditors, or two of them, in the ſaid Court (the Maſter being abſent) haue authoritie to take Obligations to the kings vſe, of euerie particular Receiuer, which ſhall be aſſigned for the ſaid Court, and of his ſuerties for ſure payment of his receits, and to take Obligations to the Kings vſe, aſwell of euery Farmor, Bailife, Reeue, or other accomptants, for the true payment of their Receipts, and of euerie perſon which is indebted to the King for any Arrerages of his Receipts, Farmes, or charges, as of any other perſon, for any other cauſe or matter concerning the premiſſes, determinable within the ſaid Court. And all ſuch Obligations and writings obligatorie, of what ſumme ſoeuer they be, be of the ſame ſtrength, qualitie, and effect, to all intents, as writings obligatorie, made by any lay perſon, by authoritie of the Statute Staple bẽ, or ought to be. And the Maiſter, Atturney, and Receiuer generall, or two of them, haue authoritie to ſet ſuch fine, as by their diſcretion ſhall ſeeme good, vpon any perſon called by the Kings Proces of the ſame Court, to appeare at Weſtminſter in the ſame Court within the Terme, at a certaine day to him prefixed to appeare, and hath day giuen in Court to make anſwere to the matters obiected againſt him in the ſame Court in the Kings behalfe, which doth depart the Court before anſwere made, and Atturney put into the Court, with aſſent of the Court, for proſecuting the matter with effect, which fine ſhall be leuied of his lands, tenements, goods, and cattels, to the Kings vſe. And alſo the ſaid Maſter hath authoritie to make and appoint all and ſingular particular Receiuers, Feodaries, and Surueyors, in euery Shire, and alſo fees for executing the ſame, vnder the Seale of the ſame Office, in ſuch wiſe, as the ſame Officers may be alwayes remoueable at the diſcretion of the ſaid Court. And alſo to make allowance of the coſts of all Commiſſioners, particular Receiuers, Surueyors, Auditors, Counſellors, and Feodaries, and euery of them, by his bill aſſigned, which bill is a ſufficient warrant to the Auditors of the ſame Court, to make allowance of the ſame. And the ſaid Maſter hath authority to take Recogniſances of all perſons that be called into the ſaid court, to anſwere to any matter alledged againſt them in the ſaid court, to make their daily apparance in the ſaid court, to aunſwere to ſuch matter, as to them, then, and there from time to time ſhall be alleaged. And all ſuch recogniſances, of what ſumme ſoeuer they be, be as good and effectuall in the law to all intents, as Recogniſances taken in the Chauncery, or elſewhere, before any Judge of Record, within this Realme. And the ſaid Maſter, with the aduice of the Court, or of ſuch number of the ſame as then be preſent, ſo that they be two beſide the ſaid Maſter, haue full power to moderate ſuch Recogniſances as be there forfeited, and to ſet fines for the ſame to the Kings vſe vnder the ſummes contained in the ſaid Recogniſances, the ſame fines to be leuied by proces of Scire facias &c. And the ſaid Maſter with the aduice beforeſaid, hath authority to commit to ward any perſon or perſons for his or their diſobedience, contempt, or other offence to be made, triable within the ſaid court, and vpon the ſaid matters ordered there, to deliuer them from priſon, and to cancell and make void all Recogniſances and Obligations taken in the ſame Court to the kings vſe, when the ſaid Maſter, with the aduice of the ſaid Court, or ij. of them, ſhall ſee the matters for the which any ſuch Recogniſance or Obligation was taken to be finiſhed, and the king or party thereupon ſatisfied, without any other warrant for the ſame. 34.

Bonds of accomptants.

Aſſeſſing of fines.

Appointment of Officers.

Recogniſance of apparance.

Moderating of recogniſances forfeited.

Committing to priſon.

Cancelling Bonds.

H.8.46. 33.H.8.22. 33.H.8.39.

The fées for proces, and recording apparance.

28 The Maſter and Officers of the Court of Wards and Liueries, ſhall take for the fées of all proces, at the ſuit of the parties vnder the priuy ſeale of the ſame Court y.s.vj.d. And for the fées of all Commiſſions, directed out at the ſuit of the parties y.s.vj.d. And for recording of all apparances iij.d. and no more. 32.H.8. 46. for the authority of the Court of Wards. S. Courts.

1 Within what time a patent of Wardſhip ſhalbe ſued forth after the graunting thereof. S. Patents 24.

2 What thoſe officers of the Court of Wards ſhall forfeit, which do withdraw or conceale any of the Kings rents or profits. S. Officers 7.

3 Liueries ſhall be in the order, ſuruey, and gouernance of the Court of Wards and Liueries. S. Liueries 4.

Warrantie.

Warranty by Dedi & Conceſſi.

IN dædes where it is contoined, Dedi & conceſſi tale tenementum, viz. I haue giuen and graunted ſuch a tenement, without homage, or any clauſe that containeth warrantie, and to hold of the donors and their heires by a certaine ſeruice, the donors and their heires ſhall be bound to warrantie. And where it is contained Dedi & conceſſi, &c. to hold of the chiefe Lords of the fée, or of any other then of the feoffors, or their heires reſeruing no ſeruice to himſelfe, without homage, or without the foreſaid clauſe of warantie, his heires ſhall not be bound to warrantie, but the feoffor by reaſon of his gift ſhall be bound to warrantie during his own life. Statut de Bigamis. 4. Ed. 1.6.

The husband doth alien his wiues land with warrantie.

2 If a man alien the land that he holdeth by the courteſie of England, his ſonne ſhall not be barred by the dæd of his father (from whom no heritage to him diſcended) to demaund and recouer by writ of Mordaunceſter of the ſeiſin of his mother, although it be mentioned in the dæd, that his father did bind him and his heires to warrantie. And if any heritage diſcend to him of his fathers ſide, then he ſhall be

Aſſets.

barred for the value of the heritage that is to him diſcended. And if in ſuch caſe after the death of his father, any inheritance diſcend to him by the ſame father, then ſhall the tenant recouer againſt him of the ſeiſin of his mother by a iudiciall writ, that ſhall iſſue out of the rolles of the Iuſtices before whom the plea was pleaded, to reſummon his warrantie, as before hath bæn done in like caſes, where the heire of the warrantor commeth into the Court, ſaying, that nought deſcended from him vpon whoſe dæde he is vouched. And in like maner, the iſſue of the ſonne ſhall recouer by writ of Coſinage, Aiel, and Beſaiell. Likewiſe, and in like manner, the heire of the wife ſhall not be barred after the death of his father and mother, to demaund by Action the inheritance of his mother by writ of Entrie, which his father did alien in the time of his mother, whereof no fine is leuied in the Kings Court. Glouc. 6. E. 1. 3. S. Women 5.

Cui in vita.

1 Where the King ſhall be bound to warrantie. S. Aide of the King 1. Monaſteries 35.

2 Where a womans ſuit, or her heires, ſhall not be deferred by the minoritie of the heire, which ſhould warrant the lands. S. Women 15.

Warre.

wages in Warre.

WAges ſhall be giuen by the King, and not by the Commons, to Preparers, Conueyors, and Soudiers, being in making readie to convey men toward Seruice in Warre. 1. Edw. 3. 7. Men of Warre, Poblers, and Archers choſen to goe in the Kings Seruice out of England, ſhall be at the Kings

wages

wages from the day that they depart out of the Counties where they were choſen, vntill their comming againe. 18. Ed. 3.

Waſt.

No farmor ſhall make waſt without warrant.

Farmors during their termes ſhal not make waſt, ſale, or erile of houſes, woods, or men, nor of any thing belonging to the tenements which they haue in ferme, without they haue ſpeciall graunt by writing, making mention of the couenant that they may do it. Marl. 52. H. 3. 24.

In action of waſt againſt tenant by the curteſie, for life, or yeares.

2 A man ſhall haue an action of Waſt in the Chancery againſt him which is tenant by the courteſie of England, or otherwiſe tenant for terme of life, or for terme of yeres, or againſt a woman which holdeth in dower, and he which ſhalbe attainted of Waſt, ſhall loſe the thing waſted, and beſides ſhall pay treble ſo much as the Waſt ſhall be tared. Glouceſt. 6. Ed. 1. 5. After ſuch time as a plea is moued in the citie of London by writ, the tenãt ſhal haue no power to make any waſt or eſtrepement of the land which is in demaund, hanging the plea. And if he do, the Maior & Bailifes ſhal cauſe it to be kept at the ſuit of the demaundant. And the ſame Ordinance and Statute ſhal be obſerued in other Cities, Boroughes, and elſewhere, throughout the whole Realme. Glouceſt. 6. Ed. 1. 13.

No waſt or eſtrepement hanging any iunt.

Proces in an action of waſt.

3 Of euery manner of Waſt committed in any mans Inheritance, by Gardeins, Tenants in Dower, by the Courteſie, or otherwiſe for terme of life, or for terme of yeares, to the dammage of another, a Writ of Summons ſhall be awarded, and if after the ſummons, he againſt whom the writ is brought, appeare not, he ſhall be attached, and after the attachement he ſhall be diſtrained, and if he appeare not after the diſtres, the ſhirife ſhall be commaunded, that in his owne proper perſon, taking with him xij. &c. he ſhall go vnto the place waſted, & inquire of the waſt committed, and returne the inquiſition, and after the inquiſition is returned, iudgement ſhall be giuen, as is contained in the ſtatute of Glouceſter. Weſtm 2. 13. Ed. 1. 14. S. 2.

A writ to inquire of waſt.

Tenant for life or yeares graunteth ouer his eſtate, taketh the profits, & committeth waſt.

4 If any perſons do let their lands to any other for terme of life, for terme of another mans life, or for terme of yeares, and the tenants doe graunt their eſtate which they haue in the ſame, to any other perſons, to the intent, that they in the reuerſion ſhould not know their names, and after the firſt tenants do continually occupie the ſaid lands, and take thereof the profits to their owne vſe, & in the ſaid lands commit waſt to the diſheritance of them in the reuerſion: in ſuch caſe, they in the reuerſion may haue & maintaine an action of waſt againſt the ſaid tenants, and ſo recouer againſt them the place waſted, and their treble dammages for the waſt committed, as they ought to haue done for the waſt by them done before the ſaid graunt. But this Ordinance holdeth not place, but where the firſt tenants were puniſhable of waſt before the graunting of their eſtate, & alſo where after the ſaid graunt they take the profits of the ſame lands to their owne vſe, at the time of the waſt committed. 11. H. 6. 5.

Waſt committed by a tenant in common.

5 Whereas two or more do hold any Wood, Turbarie, Fiſhing, or other ſuch things in common, wherein none knoweth his owne ſeuerall, and one of them doth commit waſt againſt the will of the other, an action of waſt may lie, & when it is come vnto iudgement, the defendant ſhall chooſe either to take his part in a place certaine, by the aſſignement of the Shirife, and by the view and oath of his neighbours, ſworne and tried for the ſame intent, or els he ſhall graunt to take nothing from thencefoorth in the ſame Wood, Turbary, & ſuch other, but as his partners will take, and if he do chooſe to take his part in a place certaine, the place waſted ſhalbe aſſigned for his part, according as it was before he committed the waſt. Weſt. 2. 13. Ed. 1. 22.

1 The remedie where waſt is committed in any Wards lands. S. Wards 10. 11. 21. 22. 23.

Watch and Ward.

whē the night watch ſhal begin and end.

FRom the feaſt of Aſcention vntill Michaelmas in euery Citie, vj. men ſhall watch at euery gate, in euery Borough vij. men, in euery townecire or foure, according to the number of the inhabitants of the towne, & ſhall watch the towne at night, from the Sunne ſetting to the Sunne riſing, and if any ſtranger doe paſſe by them, he ſhall be arreſted vntill morning, and if no ſuſpition be found, he ſhall goe quite, and if they find cauſe of ſuſpition, they ſhall forthwith deliuer him to the Shirife, and the Shirife ſhall receiue him without hurt, vntill he be acquited in due manner: and if he will not obey the arreſt, they ſhall leuie huy and cry vpon him, and ſuch as kéepe the towne, ſhall follow with huy and cry with all the towne and townes nére, and from towne to towne, vntill he be taken and deliuered to the Shirife, as before is ſaid, & for the arreſtments of ſuch ſtrangers none ſhall be puniſhed. Wincheſt. 13. Ed. 1.

Arreſting of nightwalkers

Warding of walled towns

2 In great townes walled, the gates ſhall be ſhut from the Sunne ſetting vntill the Sunne riſing: and no man ſhall lodge in the ſuburbes, or any place out of the towne from ix. of the clocke vntill day, except his hoſt will anſwere for him, and the baylifes of townes euery weéke, or at the leaſt euery xv. day ſhall make inquirie of all perſons, being lodged in the ſuburbs, or in forreine places of the townes, and if they find any that hath receiued any ſuſpicious perſons, not kéeping the K. peace, the Baylifes ſhall execute right and iuſtice therein. Wincheſt. 13. Ed. 1. And Juſtices of peace haue power to make inquiſition in their Seſſions from time to time, and to puniſh them which be found in default after the tenor of the foreſaid Statute of Wincheſter. 5. H. 4. 3.

Waxe and Honey.

Vſing deceit by mixture in melting of waxe.

EVery perſon within this Realme, or the dominions of the ſame, which ſhall in the making and melting of Ware, by any way or meanes vſe or practiſe, or cauſe to be vſed or practiſed any manner deceit, by mixture and mingling the ſame with Roſin, Mallow, Turpentine, or any other deceitfull thing, to the intent, to ſell and vtter the ſame, or offer the ſame to be ſold or vttered for Ware to any perſon or perſons whatſoeuer, ſhall forfeit and loſe the ſame mingled or corrupted ware. And if the ſame corrupted ware ſhall happen to be ſold, before ſuch default and corruption ſhall be found, then the ſaid melter, mingler, or corrupter, cauſer, or procurer thereof, ſhall forfeit for euery pound ij. ſhillings, whereof the one halfe to be to the Quéene, the other halfe to the party deceiued, if he will ſue for it, or any other perſon or perſons that will ſue for the ſame, in any of the Qu. Courts of Record. 23. Eliz. 8.

Euery melter of waxe, ſhall haue his mark

2 Euery melter and maker vp of vnwrought ware, ſhall haue for himſelfe a ſtampe or marke, of the breadth of fiue pence, wherein two letters ſhall be plainely grauen, ſignifying his name and ſurname, and with the ſame ſhall ſtampe euery piece of ware, to be printed or ſtamped triangle, in three places vpon the out ſide of the vpper part of euery piece ſo melted and caſt, vpon the paine, to forfeit the value of euery piece or cake ſold, or offered to be ſold, and not ſo ſtamped, or marked. 23. Eliz. 8.

wrought war marked.

3 No perſon ne perſons within this Realme, or the dominions thereof, ſhall melt, mixe, worke, or ſell any manner of wrought ware, ſtuffe, or wares wrought with ware, as in lights, ſtaffe-torches, red ware, or ſealing ware, bowe candle,

ſearing candle, ſearing of dead coꝛps, linkes, grœne ware, red ware, oꝛ any other woꝛke, oꝛ thing whatſoeuer, to be done oꝛ wꝛought with ware to be put to ſale, but with good, holeſome, pure, & conuenient ſtuffe, mæte in ſuch wares, oꝛ woꝛke, in conuenient quantitie to be vſed. And euery perſon, oꝛ perſons, that ſhall woꝛke, oꝛ ſell ſuch ſtuffe oꝛ wares of ware, ſhall haue a marke, oꝛ ſtampe, oꝛ ſeale, to ſet on his oꝛ their woꝛk, by him oꝛ them wꝛought, oꝛ ſold, to the intent, that if any deceit be vſed, oꝛ done, it may be knowne who were the woꝛkers thereof: And ſuch perſon oꝛ perſons as ſhal be found oꝛ knowne to woꝛke, oꝛ ſell, oꝛ to ſale put, any ſuch falſe ware, oꝛ wares wꝛought with ware, to be put to ſale, ſhall foꝛfeit the ſame coꝛrupted oꝛ deceitfull ware and wares, the one halfe to be to the Quœne, &c. and the other to the party deceiued, if he ſhall ſue foꝛ the ſame, oꝛ otherwiſe to him oꝛ them that will ſue foꝛ the ſame, by A. B. P. oꝛ J. in any of the Quœnes Courts of Recoꝛd, wherein no E. P. W. ſhall be allowed. 23. Eliz 8.

Coꝛrupted oꝛ falſe mingled ware foꝛfeited.

4 Euery perſon & perſons what ſoeuer, which ſhal ſell, oꝛ offer to be ſold any coꝛrupted & falſe mingled ware, ſhall foꝛfeit the ſaid ware, the one moitie thereof to be to the Q. & the other to the partie deceiued, if he ſhall ſue foꝛ the ſame, oꝛ otherwiſe to him oꝛ them that will ſue foꝛ the ſame, as afoꝛeſaid. 23. Eliz. 8.

Selling ware of their owne Bees.

5 Pꝛouided alwaies, that this Act, as touching the marking of ware, ſhall not extend to any perſon oꝛ perſons, ſelling the ware of their owne Bees in open markets in ſmall pieces, noꝛ to any ſeruant, oꝛ ſeruants, oꝛ other perſons, mingling oꝛ coꝛrupting any ware, by commaundement of their maiſter oꝛ other perſon hauing authoꝛitie ouer them, ſo as they will confeſſe the ſame. 23. Eliz. 8.

Veſſels of honey marked with 2. letters

6 All Barrels, Kilderkins, & Firkins, filled with honey by the maker & filler, ſhall be marked with two letters, ſtanding foꝛ his name and ſurname, each letter of an ynch & a halfe of length at the leaſt, burnt vpon the head of the caſke with an hot yꝛon, vpon the pain to foꝛfeit vj. s. viij. d. foꝛ euery barrel, kilderkin, firkin, oꝛ caſke, ſold, oꝛ offered to be ſold, and not ſo marked. And if any perſon oꝛ perſons doe oꝛ ſhall fill, oꝛ ſell, and cauſe to be filled, oꝛ ſold, oꝛ offered to be ſold, any barrell, kilderkin, oꝛ firkin, with Honey, ſoꝛ, oꝛ in the name of a barrell, kilderkin, oꝛ firkin, contayning leſſe then 32. wine gallons the barrell, 16. wine gallons the kilderkin, and 8. wine gallons the firkin, euery perſon and perſons ſo offending, ſhall foꝛfeit foꝛ euery halfe gallon ſo lacking, 5. ſhillings. And euery perſon & perſons that ſhall coꝛrupt the honey ſo ſold, oꝛ to be ſold, with any deceitfull mixture, ſhal foꝛfeit the barrel oꝛ veſſell, & honey therein contained, to the Quœne and Infoꝛmer, &c. An. 23. Eliz. 8. S. Wines 16.

The content of euery veſſel of honey to be ſold.

S. Wines 8.

Coꝛrupting of Honey.

Counterfeiting of marks oꝛ marking with anothers marke.

7 If any perſon oꝛ perſons ſhall at any time hereafter counterfeit any the markes aboue mentioned, oꝛ ſhall ſet to the marke oꝛ markes of any other perſon oꝛ perſons, without the conſent of the ſame perſon oꝛ perſons, whoſe names the ſaid markes ſhall ſignifie, euery ſuch offendoꝛ in the pꝛemiſſes, ſhall foꝛfeit foꝛ euery ſuch default v. li. the one moitie thereof to be to the Quœne, &c. and the other moitie to the partie deceiued, if he will ſue foꝛ the ſame, oꝛ otherwiſe to any other perſon oꝛ perſons, that will ſue foꝛ the ſame by B. A. oꝛ J. in any of the Q. Courts of Recoꝛd, wherein no E. P. oꝛ W. &c. ſhall be allowed. And foꝛ nonſufficiency of payment thereof, to be ſet on the Pilloꝛie in the nert market Towne, to the place where ſuch offence ſhal be committed, and to ſuffer thꝛee Moneths impꝛiſonment, without baile oꝛ mainpꝛiſe foꝛ euery offence committed contrary to this article of this pꝛeſent Act. 23. Eliz. 8.

8 Ware-Chaundelꝛs, which ſhall take foꝛ their Candles and other woꝛks of ware aboue iiij. pence a pound, moꝛe then the plaine ware is woꝛth betweene Marchant and Marchant, ſhall foꝛfeit the ſame, oꝛ the very value thereof and being attainted thereof, ſhall make fine to the King. 11. H. 6. 12. S. Iuſt. of Peace 42.

Weights

Weights and Meaſures.

One weight and meaſure through the Realme.

ONe weight, one meaſure, & one yard ſhall be throughout the whole Realme, as well without the Staple, as within. Magna charta 26. 14. E. 3. 12. 27. Ed. 3. 10. And euery Meaſure of Corne ſhal be ſtriked without heape: Sauing the rents and fermes of Lords. 25. Ed. 3. 10. 34 Ed. 3 6.

A Buſhell.

2 By the conſent of the whole Realme of England the Meaſure was made, that an Engliſh penny called a ſterling, round, and without clipping, ſhall weigh 32. cornes of wheat in the middeſt of the eare, and xx. d. ſhall make an ounce, xy. ounces of Troy weight ſhall make a pound, and 8. li. of Troy weight ſhall make a gallon, viij. gallons ſhall make a buſhell, which is the viij. part of a quarter. Compoſitio menſurarum. 51. Ed 1. 12. H. 7. 5.

A quarter of corne, a ſtone, & ſack of woll.

3 There be but onely 8. buſhels raſed and ſtricken to the quarter of corne, and 14. li. to the ſtone of woll, and 26. ſtone to the ſacke. 11. H. 7. 4. 1. H. 5. 10. 15. R. 2. 4 34. Ed. 3. 6. And whoſoeuer doth buy or ſel wolls at more weight then at 14. li. the ſtone, ſhall pay double to the partie grieued, and make fine to the King, according to the quantitie of the treſpas. 13. R. 2, 9.

An acre of ground.

4 Three graines of barley dric and round doe make an ynch, twelue ynches doe make a foote, three foote do make a yard, fiue yards and a halfe doe make a perch, and fortie perches in length and foure in breadth doe make an acre, Compoſitio vlnarum & perticarum.

An ordinance of meaſuring of Land, An. 34. Edw. 1.

5

The breadth.	The length of the acre.		The breadth.	The length of the acre.	
Perche.	*Perche.*	*Feete.*	*Perche.*	*Perche.*	*Feete.*
10	16	0	28	5	11 11/14
11	14	9	29	5	8 3/58
12	13	5 1/2	30	5	5 1/2
13	12	5 3/13	31	5	2 41/62
14	11	7 1/14	32	5	0
15	10	11	33	4	14
16	10	0	34	4	11 11/17
17	9	6 27/34	35	4	9 1/7
18	8	14 1/3	36	4	7 1/3
19	8	6 18/19	37	4	5 13/17
20	8	0	38	4	3 9/19
21	7	10 3/14	39	4	0
22	7	4 1/2	40	4	0
23	6	15 18/23	41	3	14 73/82
24	6	11	42	3	13 15/42
25	6	6 3/5	43	3	11 77/86
26	6	2 7/13	44	3	10 1/2
27	5	15 3/18	45	3	9 1/6

A way of Cheſe. Quære.

6 The weight of a way of Cheſe muſt containe xxxij. cloues, that is to ſay, euery cloue viij. pound by the weights touching. 9. H. 6. 8. Quere if a cloue be viij. pound or viij pound.

7 Anñ

7 Anno 11.H.7.4. and 12.H.7.5. it was enacted, that there ſhould be carried into euery Citie, Borough, and Market Towne hereafter named, one of euery Weight and Meaſure, which the ſaid king Henry the ſeuenth cauſed to be made of Braſſe, according to his Standard of his Exchequer, there to remaine for euer in the keeping of the head Officer of the ſame Citie, Borough, or Towne, as the Kings Standard of Weight and Meaſure, and that the Inhabitants of all Cities, Boroughes, and Market Townes within euery of the ſaid Shires, ſhould make, or cauſe to be made, to remaine with them, common Meaſures & Weights, according to the ſame Weights and Meaſures, and that the ſame Meaſures and Weights ſhould be viewed, examined, printed, ſigned, and marked, by the head Officer, in whoſe poſſeſſion the ſaid Standard ſhould remaine.

The names of the Townes limitted for the keeping of Waights and Meaſures.

Weſtmerland.	Towne of Appleby.	Surrey	Towne of Gilford.
Northumb.	T. of Newcaſtle.	Suſſex	T. of Lewes.
Cumberl.	Citie of Carleol.	Dron.	Citie of Orford.
Lancaſt.	T. of Lancaſter.	Berk.	T. of Reding.
Ebor.	Citie of Yorke.	Hereford.	T. of Hereford.
Lincoln.	Citie of Lincolne.	Salop.	T. of Shrewesbury.
Derb.	T. of Derby.	Staff.	T. of Stafford.
Noting.	T. of Notingham.	Glouc.	Citie of Glouceſter.
Leiceſt.	T. of Leiceſter.	Wigorn.	Citie of Worceſter.
War.	Citie of Couentrie.	Wiltes.	Citie of New Saliſbury.
Rotyl.	T. of Uppingham.		
North.	T. of Northampton.	South.	Citie of Wincheſter.
Bedf.	T. of Bedford.	Som.	T. of Ilcheſter.
Buck.	T. of Buckingham.	Dorſ.	T. of Dorceſter.
Cantab.	T. of Cambridge.	Deuon.	Citie of Exceſter.
Hunt.	T. of Huntington.	Cornub.	T. of Leſtuthiel.
Norff.	Citie of Norwich.	London.	Citie of London.
Suff.	T. of S. Edmondeſbury.	Briſtow	Citie of Briſtow.
		Quinq; Por.	Caſtle of Douer.
Eſſex.	T. of Chelmeſford.	Couentrie	Citie of Couentrie.
Hertf.	T. of Hertford.	South.	T. of Southampton.
Midd.	Citie of Weſtminſt.		
Kent.	T. of Maidſtone.	Cheſter.	Citie of Cheſter.

8 Euery head Officer hauing the ſaid Waights and Meaſures ſigned & printed, vnder the ſigne and print for the ſame, hath authoritie to make, ſigne, and print, like Waights and Meaſures vnto euery the Kings Subiects duely requiring the ſame, taking for marking and ſealing of euery Buſhell j. d. of euery other Meaſure an halfe penie, of euery hundreth waight a peny, and of euery halfe hundreth ob. and euery waight vnder, a farthing, & not aboue, vpon paine to forfait for euery time that he refuſeth, or doth the contrary rl. ſ. to the K. and J. that will ſue by A. of debt, wherein no W. &c. 11.H.7.4. 12.H.7.5.

Head Officer may ſigne weights and meaſures to euery man that will.

9 No Marchant or other perſon within any Citie, or Market Towne, ſhall buy or ſell with any waight or Meaſure, except it be market, ſigned, or printed, in forme aforeſaid, nor any other perſon, out of the ſaid Cities, Boroughes, and Market Townes, except it be like and equall with the ſaid Standard. And euery perſon aſwell without Cities, Boroughes, and Market Townes, as within, ſhal buy and ſell with a Buſhell ſealed, ſigned, & marked, after the forme aforeſaid, and none

None ſhal buy or ſel, but with waights and meaſures ſigned & printed.

Water measure.

otherwiſe. But this Act ſhall not extend to any perſon ſelling or buying by water meaſure within the Shipbord, but the ſame ſhall onely containe fiue pecks after the ſaid Standard raiſed & ſtriken. Neither ſhall this Act extend to any Waights appertaining to cunage of Tinne within the Counties of Cornewall and Deuonſhire, but all ſuch waights ſhall be vſed and corrected, as hath bẽn vſed. 11.H.7.4. 12.H.7.5.

Waights for cunage of Tinne.

Viewing and examining waights and meaſures.

10 All the Maiors, Bailifes, and other head Officers of euery Citie, Borough, or Market Towne, ſhall cauſe twice in the yeare, or oftner, as they ſhall thinke neceſſarie, all Waights and Meaſures within the ſaid Cities, &c. to be brought before them, and to be duely viewed, and examined, and ſuch as they ſhall find defectiue, immediatly to be broken and burnt, and the offendor ſhall forfait for the firſt time vj.ſ. viij.d. to the ſaid Maior, Bailife, or any other hauing iuriſdiction and correction in that behalfe, and at the ſecond time xij.ſ. iij.d. and at the third time xx.ſ. and for the further puniſhment, ſhall be ſet vpon the Pillorie to the example of other. But the examination of defaults aboueſaid, and puniſhment to the offendors of euery offence committed within any of the fiue Ports, ſhall be done by the Lord Warden of the ſaid fiue Ports, or by his Lieutenant, and none other. 7.H.7.3. 11.H.7.4. 12.H.7.5. S. Iuſtice of peace 92.

Euery citie, borough, and market towne ſhall haue a cõmon ballance and waights.

11 Euery Citie vpon paine of x.ſ. euery Borough vpon paine of C.ſ. and euerie Towne where a Conſtable is, vpon paine of xl.ſ. to be leuied to the vſe of the King, ſo often as they ſhall be found defectiue, ſhall haue a common Ballance with Waights, according to the Standard of the Exchequer. 8.H.6.5. But theſe penalties ſhall not extend to any Towne which is no Citie, Borough, or Market Towne. 11.H.7.4. By the foreſaid Statute of 8.H.6. the Burgeſſes of the Borough of Dorcheſter, ſhall not be diſturbed of their right to vſe their weighing by xij. Miles about the ſame Borough, vſing alwaies ſuch common Waights as be according to the Standard of the Exchequer. 9.H.6.6.

Euery one may weigh at the common ballance and weights.

12 At the common Ballance, and common waights ſealed, of euery Citie, Borough, & Towne, all the Inhabitants of the ſame Citie, Borough, &c. may freely weigh without any thing paying, taking neuertheles of forreins for euery draught within the waight of xl.pound a farthing, for euery draught betwixt xl.pound and C.pound, an halfe peny, & for euery draught betwixt C.li. and a M.li. a peny, at the moſt, wherof the waights ſhal be maintained, & the officer rewarded by the diſcretion of the chiefe of the Citie, borough, &c. according to his attendance. 8.H.6.5.

Counterfaiters of weights.

13 Iuſtices of peace, Shiriffes, Eſcheators, and other Commiſſioners aſſigned by the King, haue power by commiſſion, to inquire of all falſifiers & counterfaiters of falſe Waights, and to take and impriſon them, & in priſon to hold them without mainprize, vntill they be acquited or attainted, and if they be attainted, their bodies ſhall remaine in priſon, vntill they haue made fine and ranſome, according to the Iuſtices diſcretion. 9.H.5.8. S. Iuſtices of peace 92.

Weighing by equall ballance.

14 Wools, and all maner of Auer de poys ſhall be weighed by the ballance which is equall, and by lawfull waights ſealed according to the Standard of the Exchequer, ſo that the tongue of the Ballance ſhall be equall, without bowing to the one ſide, or to the other, or without putting hand or foote, or other touching thereof, and he which doth the contrarie, to the damage of the ſeller, ſhall forfait to the King the value of the goods ſo weighed, ſhall be two yeares impryſoned, and make fine at the Kings pleaſure, and the plaintife ſhall haue his quadruple damages. 25.E.3.9. 27.E.3.10. 13.R.2.9. 8.H.6.5.

The Aſſiſe of Bread & Ale.

15 By the Statutes intituled, Aſſiſa panis & ceruiſiæ, Statutum panis & ceruiſiæ, Iudicium Colliſtrigij, Statutum de Piſtoribus, Braceatoribus, & alijs Vitellarijs, made 51.H.3. and 51.Ed.1. there were ſeuerall ordinances prouided for the prices of Bread and Ale, according to the price of Corne, viz. when a quarter

of

of Barley was ſold for iij. ſ. that then Brewers ſhould ſell iiij. gallons of Ale for j.d. when Barley was ſold for ij.ſ. vj.d. the quarter, then viij. gallons for v.d. when barley was ſold for iij.ſ. the quarter, then iij. gallons for a j.d. when for iij.ſ. vj.d. the quarter, then v. gallons for v.d. and when for iij.ſ. the quarter, then two gallons for j.d. and ſo ſhould riſe and fall, as the price of Corne did riſe and fall by vj.d. in the quarter. And there be alſo ſeuerall waights aſſeſſed of the waſtell bread, the Cmniall, the Cocket bread, and Houſhold bread, according to the price of Wheat riſing or falling betwixt xij. d. and v.ſ. the quarter, all which ſorts of Bread were ordained to be weighed by ſterling money, as it was currant in the Raignes of king H. 3. and king Edw. 1. viz. that a ſterling peny ſhould weigh xxxij. graines of wheat in the middeſt of the eare, and that xx. of thoſe pence ſhould make an Ounce: which values, time ſithence hath much altered: but omitting the value, & caſting the juſt waight of an Ounce, the ſame proportion in waight which the ſtatute appointeth, is to be obſerued, and the waights & meaſures which be kept and vſed in Cities, Townes, & Boroughes, according to the Statute of 11. H. 7. and 12. H. 7. do agree with the foreſaid old Statutes in effect. And in the ſaid old ſtatutes it is ordayned, that the prices of Bread and Ale ſhall not be changed, but as Corne riſeth or falleth vj.ſ. in the quarter. And that if the Baker or Brewer do breake the aſſiſe, the firſt, the ſecond, and the third time, he ſhall be amerced, according to the quantitie of his offence, except his offence be great: but if his offence be great, or that he doth offend a fourth, or more often times, the Baker offending ſhall be ſet vpon the Pillorie, and the Brewer ſhall be puniſhed by the Tumbrell, which puniſhments ſhall not be pardoned for gold or ſiluer. And if the Bakers farthing Bread be found lacking ij.ſ. vj.ſ. d. or vnder, (viz. an Ounce and demy Troy) he ſhall be amerced, and if it exceed, he ſhall be ſet vpon the Pillory. And the Pillory ſhall be of ſufficient ſtrength, that the Judgement may be executed vpon the offendors without perill of the bodie. S. Brewers 2. Sterling peny.

1 By what meaſure Purueyors ſhall take Corne and other Vitaile. S. Purueyors 16.

2 For the length, breadth, and waight of all maner of Cloth. S. Draperie 1. &c. 27. 67.

3 For the aſsiſe, length, and breadth of Couerlets made in Yorkſhire. S. Couerlets 3.

4 For the content of each veſſell of Wine, Honey, and Oyle. S. Wine 13.

5 For the content of a But, Barrell, halfe Barrell, and other veſſell of Salmon. S. Fiſh 8.

6 For the content of a Barrell, halfe Barrell, and Firkin, of Herrings and Eeles. S. Fiſh 9. 10.

7 For the content and waight of Barrels and Firkins of Sope. S. Sope 1.

8 For the content of euery veſſell made for Ale and Beere. S. Cowpers 2.

9 How he ſhall be puniſhed, which occupying buying of Pewter, or Braſſe, doth occupie any deceiueable Beams, and waights. S. Pewter 4.

10 That woollen Cloth ſhall be ſold by the yard and ynche. S. Draperie 67.

11 By what meaſure Millers ſhall take their Toll. S. Toll 2.

12 For the waight of Hempe, and how much ſhall be accompted a ſtone. S. Cables 2.

13 The contents of euery Barrell, halfe Barrell, and Kilderkin of Honie. S. Waxe &c. 6. 14. S. 13. R. 2. 9.

Weares.

By the Statute of Magna Chart. cap. 15. 16. and 23. it was prouided, That no Village or Fræmen ſhould be diſtrained to make any Bridges or Banks, but Bridges. Banks.

but ſuch as by right they had wont to make. Nor that any Banks ſhould be from thenceforth defended, but ſuch as were defended in the time of King H. the 2. and by the ſame place, and the ſame bounds. And that all Weares ſhould be wholie put downe by Thames, Medway, and through all England: Sauing by the Sea coaſt.

Weares.

New weares ſhall be pulled downe, & not repaired.

2 All ſuch weares, mils, ſtankes, ſtakes, and kiddels, which be leuied and ſet vp in the time of king Ed. the 1. and after, whereby ſhips and boates be diſturbed that they may not paſſe in ſuch Riuers as they were wont, ſhall be taken away, and pulled downe, and not be ſet vp againe, and thereupon writs ſhall be ſent to the Shirifes of the places where neede ſhall be, to ſuruey, inquire, and thereof make execution. And alſo Juſtices ſhall be aſſiſtant, as often as need ſhall require, 25. Ed. 3. 4. And if any ſuch Nuſance be pulled downe, according to the intent of the foreſaid Statute, he that ſhall leuie, or ſet vp the ſame againe, and thereof ſhall be in due maner attainted, ſhall forfait to the King C. Markes, to be leuied by the eſtreates of the Exchequer. And the ſame Law ſhall hold place of any annoyance committed by the enhaunсing of ſuch weares, mils, ſtankes, ſtakes, and kiddels, as by the making of new. 45. Ed. 3. 2.

Commiſſions to ſuruey the faults of weares.

3 Commiſſions ſhall be directed in due forme to ſufficient perſons to be Juſtices in euery Countie of England, where need ſhall be, to ſuruey and kepe the waters and great Riuers there, and to correct and amend the faults, and to make due execution of the foreſaid Statute of 25. & 45. Ed. 3. according to the effect thereof, aſwell by their ſuruey, aduice, and diſcretion, as by the Enqueſts thereupon to be taken within franchiſes, and without, if, and when need ſhall be, and to heare and determine the foreſaid things. And moreouer to ſuruey the weares, mils, ſtankes, ſtakes, & kiddels, aunciently vſed & leuied before the time of king Ed. 1. And thoſe which they ſhall find too much enhaunced or ſtreitned, to abate, reforme, & amend, in maner and forme aforeſaid. Sauing alwayes a reaſonable ſubſtance of the weares, mils, ſtankes, ſtakes, and kiddels aforeſaid, ſo in old time made and leuied. 1. H. 4. 12. S. 4. H. 4. 11. That Commiſſions ſhall be made to certaine Juſtices and other, in euery Countie where neede ſhall be, to inquire of all that which is contained in the ſaid Statutes, and to puniſh the offendors of the ſame by fine, according to their diſcretion: Sauing alwaies to the King the paines comprized in the ſaid Statutes. And the eſtreates of ſuch fines ſhall be deliuered by the ſaid Juſtices to the Shirife of euery Countie by Indenture, and the Shirife ſhall pay of the iſſues and profits riſing of the ſaid eſtreats, to euery of the ſaid Juſtices for euery day, that he ſhall trauell to exerciſe the ſaid Commiſſion, xiij. s. and the Shirife ſhall thereof haue allowance in the Exchequer.

Cõmiſſioners allowance for their paines.

The forfaiture of offendors.

4 And if any ſuch annoyance of weares, mils, ſtankes, ſtakes, and kiddels of paſſages, and ſtreitnings in old time made and leuied, be iudged or awarded by the ſaid Juſtices to be abated or amended, he which hath the freehold thereof, ſhall execute the ſame at his owne coſts, within halfe a yeare after notice thereof to him giuen, vpon paine of C. Markes, to be paied to the King by the eſtreats of the Exchequer. And he which doth make them to be ſet vp againe, enhaunced, or ſtreitned, contrarie to the ſaid Iudgement, and thereof is duely conuict, ſhall forfait to the king C. Markes, to be paied as is aforeſaid. And in caſe any man feeleth himſelfe grieued by execution, or other meane in this behalfe againſt right & reaſon, let him purſue it, and he ſhall haue right and reaſon. 1. H. 4. 11.

An offence not reformed according to the Commiſſioners award.

5 If by award or iudgement of any of the ſaid Commiſſioners aſſigned according to the ſaid Statute of 1. H. 4. it be found, that any ſuch weares, fiſhgarths, mils, mildams, milſtankes, lockes, hebbing weares, ſtakes, kiddels, heckes, or ſlodgates be made, leuied, enhaunced, ſtreited, or enlarged, contrarie to the ſame ſtatute, if the offendors in this behalfe, contrarie to the ſaid award, rule, and

iudge-

iudgement, being duely warned by the Shirife, or Vndershirife of the Countie or Counties where ſuch weares, fiſhgarths, &c. and other annoyances, diſturbances, or impediments aforeſaid ſhall be found, made, leuied, ſtreited, or inlarged, (by Scire facias being directed to the ſaid Shirife, or Vndershirife) do not within three Moneths next after the ſaid garniſhment made, at their owne coſts and charges duely & fully amend, breake downe, & auoid the ſaid making, leuying, enhauncing, ſtreitning, or enlarging, being defective, as in the foreſaid Statute is ſpecified: Then he or they which ſhall in this caſe offend, ſhall forfait to the King for euery default C. Markes, by tranſcript to be deliuered into the Exchequer, in maner and forme, as in the ſaid Statute is contained. And if the offender, his heire, heires, aſſignee, or aſſignees, or any of them do deferre, or continue the ſame defaults, contrarie to the foreſaid award, rule, and iudgement of the Commiſſioners aforeſaid, he or they ſo deferring or continuing the ſame default, ſhall forf. for euery Moneth after the ſaid three Moneths ended, that the ſame default ſhall remaine and be not corrected, amended, nor reformed, one hundred Markes to the King, & any of his ſubiects that will ſue by A. of debt, wherein no W. E. P. &c. 12. Ed. 4. 7.

An offence made by a ſtranger.

6 If any perſon, other then ſuch againſt whom ſuch award, rule, or iudgement was made and had, not being heire or aſſignee to them, or any of them, will preſume to occupie or continue any ſuch weares, fiſhgarths, mils, mildams, milſtancks, locks, hebbing weares, ſtakes, kiddles, hecks, flodgates, or other diſturbances, or impediments, as is aforeſaid, he or they which do preſume to occupie or continue, ſhall forf. for euery default for euery Moneth, as is aforeſaid, one hundred Markes to the King, and any of his Subiects that will ſue by A. of debt, wherein no W. E. P. &c. 12. Ed. 4. 7. S. Sewers.

White Aſhes.

White Aſhes ſhall not be tranſported.

NO perſon ſhall ſhip, lade, carrie, or conuey any white Aſhes towards the parties beyond the Seas, vpon paine of forf. of vj. s. viij. d. for euery Buſhell of ſuch Aſhes ſo to be ſhipped, or laden, to be carried or conueyed into the parts beyond the Seas, to the King and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. Ed. 6. 26.

Wildfoule.

Taking or deſtroying the Egges of wildfoule.

FRom the firſt day of March, vnto the laſt day of June yearely, no perſon ſhall willingly withdraw, purloyne, take, deſtroy, or conuey any Egges of any kind of Wildfoule, from any neſt or place where they ſhall be layed by any kind of the ſame wildfoule, vpon paine of impriſonment for one whole yeare, and to forf. to the King and I. &c. for euery egge of any Crane, or Buſtard, ſo deſtroyed or taken from any neſt or place xx. d. and for euery egge of euery Bitter, Heron, or Shouelard viij. d. and for euery egge of euery Mallard, Teal, or other wildfoule a peny, wherein no W. E. P. &c. This Act ſhall not be hurtfull to any perſon that will deſtroy any Crowes, Choughs, Rauens, and Buſſards, or their egges, or any other foule, or their egges, not comeſtible or vſed to be eaten. 25. H. 8. 11. 3. Ed. 6. 7. S. Iuſtice of peace 93. S. Feaſants &c. 1. 2. &c.

Wils and Teſtaments.

10. Iulij, Añ Dom. 1540.

ALl and euery perſon and perſons, hauing any manors, lands, tenements, or hereditaments, holden in Socage, or of the nature of Socage tenure, and not hauing any lands, &c. holden of the King by knights ſeruice, by Socage tenure

Lands holden in Socage, & none in chiefe, or by knights ſeruice.

in chiefe, or of the nature of Socage tenure in chiefe, nor of any other perſon or perſons by knights ſeruice, ſhall haue full and free libertie, authoritie, and power, to giue, diſpoſe, will, and deuiſe, aſwell by his laſt Will and Teſtament in writing, or otherwiſe, by any act or acts lawfully executed in his life, all his ſaid lands, &c. or any of them, at his pleaſure: Any law &c. notwithſtanding. 32. H. 8. 1.

Lands holden of the King in Socage in chiefe, and none holden by knights ſeruice.

2 All and euery perſon and perſons, hauing manors, lands, tenements, or hereditaments, holden of the King, his heires or ſucceſſors, in Socage, or of the nature of Socage tenure in chiefe, and hauing any other lands &c. holden of any other perſon or perſons in Socage, or of the nature of ſocage tenure, and not hauing any lands, &c. holden of the King by knights ſeruice, nor of any other Lord or perſon by like ſeruice, ſhall haue full and free libertie, authoritie, and power, to giue, will, diſpoſe, or deuiſe, aſwell by his laſt Will and Teſtament, in writing, or otherwiſe, by any act or acts lawfully executed in his life, all his ſaid manors, lands, tenements, and hereditaments, or any of them, at his free will and pleaſure: any law, ſtatute, cuſtome, &c. notwithſtanding. Sauing to the King &c. all his right, title, and intereſt of primer ſeiſin, and reliefe, and alſo all other rights and duties for tenures in Socage, or of the nature of Socage tenure in chiefe, as heretofore hath been vſed and accuſtomed, the ſame lands &c. to be taken, had, and ſued out, of, and from his hands, by the perſon and perſons to whom any ſuch lands, &c. ſhall be diſpoſed, willed, or deuiſed, in ſuch like maner and forme, as hath been vſed by any heire or heires, before the making of this Statute. And ſauing and reſeruing alſo Fines for alienations of ſuch lands &c. holden of the King in Socage, or of the nature of Socage tenure in chiefe, whereof there ſhall be any alteration of freehold or inheritance, made by will, or otherwiſe, as is aforeſaid. 32. H. 8. 1.

The kings primer ſeiſin, & fines for alienations ſaued.

Lands holden of the K. in chiefe by knights ſeruice.

3 All and ſinguler perſon and perſons, hauing any manors, lands, tenements, or hereditaments, of eſtate of inheritance, holden of the Kings highneſſe in chiefe by knights ſeruice, or of the nature of knights ſeruice in chiefe, ſhal haue full power and authoritie by his laſt Will by writing, or otherwiſe, by any act or acts lawfully executed in his life, to giue, diſpoſe, will, or aſſigne two parts of the ſame lands, &c. in three parts to be diuided, or elſe as much of the ſaid lands, &c. as ſhall extend or amount to the yearely value of two parts of the ſame in three parts to be diuided in certaintie, and by ſpeciall diuiſions, as it may be knowne in ſeueraltie, to, and for the aduancement of his wife, preferment of his children, and payment of his debts, or otherwiſe at his pleaſure: any Law &c. notwithſtanding. Sauing and reſeruing to the King the cuſtodie, wardſhip, and primer ſeiſin, or any of them, as the caſe ſhall require, of as much of the ſame lands, &c. as ſhall amount and extend to the full and cleere yearely value of the third part thereof, without any diminution, power, fraud, couin, charge, or abridgement of any of the ſame third part, or of the full profits thereof. Sauing alſo to the King &c. all Fines for alienations, of all ſuch lands, &c. holden of the King by knights ſeruice in chiefe, whereof there ſhall be any alteration of freehold, or inheritance, made by will, or otherwiſe, as is aboueſaid. 32. H. 8. 1.

Wardſhip, primer ſeiſin, & fines for alienatiõs ſaued to the King.

Lands holden in chiefe, and other lands holden by Kn. ſeruice.

4 All and ſinguler perſon and perſons, hauing manors, lands, tenements, or hereditaments, of eſtate of inheritance, holden of the King in chiefe by knights ſeruice, & hauing other lands, &c. holden of the king, or of any other perſon or perſons, ſhall haue full power to giue, diſpoſe, will, or aſſigne by his laſt Will in writing, or otherwiſe, by any act or acts lawfully executed in his life, two parts of the ſame lands, &c. in three parts to be diuided, or elſe as much of the ſame lands, &c. as ſhall extend to the yearely value of two parts, of the ſame in three parts to be diuided in certaintie and by ſpeciall diuiſions, as it may be knowne in ſeueraltie,

to

to and for the aduancement of his wife, preferment of his children, and paiment of his debts, or otherwiſe at his pleaſure: any law &c. notwithſtanding. Sauing to the king the cuſtodie, wardſhip, and primer ſeiſin, or any of them, as the caſe ſhall require, of as much of the ſame lands &c. as ſhall amount and extend to the full and cleere yearely value of the third part thereof, without any maner diminution, dower, fraud, couin, charge, or ſubtraction of the ſame third part, or of the full profits thereof. Sauing alway and reſeruing to the king all fines for alienation of any ſuch lands &c. holden of him by knights ſeruice in chiefe, whereof there ſhall be any alteration of freehold or inheritance, made by Will or otherwiſe, as is aboueſaid. 32. H. 8. 1.

Wardſhip, primer ſeiſin, & fines for alienations ſaued to the king.

5 If any perſon or perſons, hold any manors, lands, tenements, or hereditaments onely of any other Lord or perſon, then of the King by knights ſeruice, and other lands &c. in Socage, or of the nature of Socage tenure, then euery ſuch perſon ſhall or may giue, diſpoſe, or aſſure by his laſt will, or otherwiſe, by any act or acts lawfully executed in his life, two parts of the ſaid lands &c. holden by knights ſeruice, or of as much thereof as ſhall amount to the full yearely value of two parts, in maner and forme as is aboue declared, and alſo all the lands and tenements holden by Socage, or of the nature of Socage tenure at his will and pleaſure, as is aboue written. Sauing to the Lord of the lands and tenements holden by knights ſeruice, for his cuſtodie and wardſhip, as much of the ſame lands and tenements as ſhall amount to the full and cleere yearely value of the third part of the ſame lands and tenements holden by knights ſeruice, without any diminution, dower, fraud, couin, charge, or ſubtraction of any portion of that third part, or of the cleere yearely value thereof, in maner and forme aforeſaid, 32. H. 8. 1.

Certain lands holden onely of common perſons by knights ſeruice, and other in Socage.

The Lords wardſhip of the third part ſaued.

6 If any perſon or perſons hold any manors, lands, tenements, or hereditaments, onely of the King by knights ſeruice, and not in chiefe, or hold any lands &c. of our ſaid Soueraigne Lord by knights ſeruice, and not in chiefe, and alſo hold other lands &c. of any other perſon or perſons by knights ſeruice, and alſo hold other lands &c. of any other perſon or perſons in ſocage, or of the nature of Socage tenure: Then all and euery ſuch perſon and perſons ſhall and may giue, diſpoſe, will, deuiſe, and aſſure by his laſt will, or otherwiſe, by any act or acts lawfully done or executed in his life, two parts of the ſame lands &c. holden of the king by knights ſeruice, and two parts of the ſame lands &c. holden of any other perſon or perſons by knights ſeruice, or as much of either of them, as ſhall amount to the full yearely value of two parts, in maner and forme as is aboue declared, and alſo of all his lands and tenements ſo holden in ſocage, or of the nature of ſocage tenure, at his free will and pleaſure. Sauing and reſeruing to the king the cuſtodie and wardſhip of as much of the ſaid lands &c. as ſhall extend and amount to the ful cleere yearely value of the third part of the ſaid lands &c. ſo holden of him by knights ſeruice, without any diminution, dower, fraud, couin, charge, or ſubtraction of any portion of that third part, or of the full profits thereof. And alſo ſauing to the Lords of whom any of the ſaid lands &c. be holden by knights ſeruice, for cuſtodie and wardſhip, as much of the ſame lands &c. holden of them, or any of them by knights ſeruice, as ſhall extend and amount to the cleere yearely value of the third part of the ſame, without any diminution, charge, fraud, couin, or ſubtraction of any portion of that third part, or of the cleere yearely value of the third part thereof, in maner and forme aforeſaid. 32. H. 8. 1.

Certain lands holden of the King and certain of others by knights ſeruice, and other lands holden of others in Socage.

The King and other Lords third part ſaued.

7 If that third part of the manors, lands, tenements or hereditaments which in any of the caſes aboueſaid, ſhall come to the king, his heires &c. by vertue of this act, as is aboueſaid, be not, or doe not amount to the cleere yearely value of the full third part of all the ſaid lands &c. Whereof the king is or ſhall be intituled to haue the

The King or other Lord may take ſo much as will make vp their full third part.

the cuſtodie or primer ſeiſin, as is aboueſaid: Then our ſaid Soueraigne Lord and his heires, ſhall and may at his or their free libertie, take into his or their hands and poſſeſſion, as much of the other two parts of the ſaid lands &c. as with that of the ſame lands &c. remaining in his hands, ſhall make vp the clere yerely value of the full third part of the ſaid lands &c. ſo to be had to the King in title of wardſhip & primer ſeiſin, or any of them, as the caſe ſhall require. And like benefit and aduantage ſhall be giuen to euery Lord & Lords of whom any ſuch Lands &c. been or ſhal be holden by knights ſeruice, as is aboueſaid, concerning onely his third part, of, or for title of wardſhip. 32. H. 8. 1.

Suing of Liuerie.

8 Euery perſon and perſons ſhall ſue their liueries for poſſeſſions, reuerſions, or remainders, and alſo pay reliefes and heriots, after ſuch maner and forme, as they ſhould or ought to haue done before the making of this Act, and as if this Act had neuer been made. And fines for alienations ſhall be paied in the Kings Chauncery, for and vpon writs of Entrie in the Poſt, to be obtained in the ſame Court for common recoueries to be had or ſuffered of any manors, lands, tenements, or hereditaments holden of the King in chiefe, in like maner and forme as is vſed vpon alienations of ſuch lands &c. ſo holden in chiefe by fine or feoffement. But in ſuch caſes where fines for alienations ſhall be paied in the Chauncery for writs of Entrie in the Poſt, as is aforeſaid, then none other fine ſhall be paied in the ſame Court for any ſuch writs: any vſage &c. notwithſtanding. 32. H. 8. 1.

Fines for alienations vpon common recoueries.

The womans title of dower in the two parts ſaued.

9 Sauing to all and euery woman and women, all & euery ſuch right, title, and intereſt of dower, as they or any of them ought to haue, or ſhall be iuſtly intituled to haue, claime, or demaund of any manors, lands, tenements, or hereditaments, by the Lawes of this Realme, to be taken or aſſigned to them, or any of them, out of the two parts of the ſaid lands &c. ſeuered and diuided from the third part, as is aboueſaid, and not otherwiſe. And ſauing alſo to the king, his heires and ſucceſſors, the reuerſions of all ſuch tenants in dower and iointure, immediatly after the death of ſuch tenants, if they ſhall happen to die during the minoritie of the kings ward. 32. H. 8. 1. S. Wardes 25.

The reuerſion after tenant in dowers death.

The expoſition of the aforeſaid ſtat. of 32. H. 8.

10 Where it is contained in the ſame Statute of 32. H. 8. within diuers branches of the ſame, That all and ſinguler perſon and perſons, hauing any manors, lands, tenements, or hereditaments, of eſtate of inheritance, ſhould haue free libertie to giue, will, diſpoſe, or aſſigne, aſwell by his laſt Will and Teſtament in writing, or otherwiſe, by any act or acts lawfully executed in his life, his manors, lands, tenements, or hereditaments, or any of them in ſuch maner and forme, as in the ſame Act it doth appeare, which words of eſtate of inheritance by the authoritie of this Parliament, are & ſhall be expounded, taken, and iudged of eſtates in fee ſimple onely. 34. H. 8. 5.

The ſtat. extendeth only to fee ſimple lands.

Sole tenant, tenant in common, & coparcenary in fee, of lands in poſſeſſion, in reuerſion, or remainder.

11 All and ſinguler perſon and perſons, hauing a ſole eſtate or intereſt in fee ſimple, or ſeiſed in fee ſimple in coparcenary, or in common in fee ſimple, of, and in any manors, lands, tenements, rents, or other hereditaments in poſſeſſion, reuerſion, or remainder, or of rents, or ſeruices, incident to any reuerſion or remainder, and hauing no manors, lands, tenements, or hereditaments, holden of the King &c. or of any other perſon or perſons by knights ſeruice, ſhall haue full and free libertie, authority, and power, to giue, will, diſpoſe, or deuiſe, to any perſon or perſons (except bodies politike and corporate) by his laſt Will and Teſtament, in writing, or otherwiſe, by any act or acts lawfully executed in his life, by himſelfe ſoly, or by himſelfe and other iontly, ſeuerally, or particularly, or by all thoſe wayes or any of them, as much as in him of right is, or ſhall be, all his ſaid lands &c. or any of them, or any rents, commons, or other profits or commodities, out of, or to be perceiued of the ſame, or out of any parcell thereof, at his owne

Deuiſing of rent or common out of lands.

owne frée will and pleaſure: any clauſe in the ſaid former Act notwithſtanding. 34 H.8.5.

12 All and ſinguler perſon and perſons, hauing a ſole eſtate or intereſt in fée ſimple, or ſeiſed in fée ſimple in coparcenary, or in common in fée ſimple, of, or in any manors, lands, tenements, rents, or other hereditaments, in poſſeſſion, reuerſion, or remainder, holden of the King by knights ſeruice in chiefe, or of the nature of knights ſeruice in chiefe, hath and ſhall haue full and frée libertie, power, and authoritie, to giue, diſpoſe, will, or aſſigne to any perſon or perſons (except bodies politike and corporate) by his laſt will and teſtament in writing, or otherwiſe, by any act or acts lawfully executed in his life, by himſelfe ſoly, or by himſelfe & other iointly, ſeuerally, or particularly, or by all thoſe waies, or any of them, as much as in him of right is, or ſhalbe, two parts as wel of al the ſaid lands &c. as of all and ſinguler his other rents & hereditaments, or of any of them, or any rents, commons, or other profits or commodities, out of, or to be perceiued of the ſame two parts, or out of any parcel therof, in three parts to be deuided, or as much thereof as ſhall amount to the full & cléere yerely value of two parts thereof, in iy. parts to be diuided, of what perſon or perſons ſoeuer they be holden, at his frée will and pleaſure. And the ſaid Will ſo declared, ſhall be good & effectuall for two parts of the ſaid lands &c. although the Will ſo declared be made of the whole, or of more then of two parts of the ſame. The ſame diuiſion to be made and ſet forth by the deuiſor or owner of the ſame lands &c. by his laſt Will in writing, or otherwiſe in writing. And in default thereof, by a Commiſſion to be graunted out of the kings court of Wards and liueries, vpon the enquirie of the true value thereof, by the othes of xy. men, and returne or certificat thereof had in the ſame Court of the ſaid lands &c. diuiſion to be made by the Maſter of the Wards and liueries, if the ſaid Maſter & the parties thereunto cannot otherwiſe agrée vpon the ſame diuiſion. And the iſſues and profits of the two parts of the ſame lands &c. vpon euery ſuch diuiſion to be reſtored to them that ſhall haue right or title to the ſame, from the death of the owner or deuiſor thereof. 34. H.8.5.

Certaine lands holden of the king by knights ſeruice in capite, and other of other perſons.

A will good for two parts though it be made for the whole.

Diuiſion of the lands.

14 All and ſinguler perſon and perſons, hauing a ſole eſtate or intereſt in fée ſimple, or ſeiſed in fée ſimple in coparcenary, or in common in fée ſimple, of, and in any manors, lands, tenements, rents, or other hereditaments in poſſeſſion, reuerſion, or remainder, or of and in any rents or ſeruices incident to any reuerſion or remainder, holden of the king &c. by knights ſeruice and not in chiefe, or holden of any other perſon or perſons by knights ſeruice, ſhall haue full and frée libertie, authoritie, and power, to giue, diſpoſe, will, or deuiſe to any perſon or perſons (except bodies politike and corporate) by his laſt will and teſtament in writing, or otherwiſe, by any act or acts lawfully executed in his life, by himſelfe ſoly, or by himſelfe and other iointly, ſeuerally, or particularly, or by all thoſe waies, or any of them, as much as in him of right is, or ſhall be, two parts of all the ſaid lands &c. or of any of them ſo holden by knights ſeruice, or any rents, commons, or other profits or commodities, out of, or to be perceiued of the ſame two parts, or out of any parcell thereof, in three parts to be deuided, or as much thereof as ſhall amount to the full and cléere yearely value of two parts thereof, in iy. parts to be diuided, at his frée will and pleaſure. And the ſaid will ſo declared, ſhall be good and effectuall for two parts of the ſaid lands &c. although the Will ſo declared, be or ſhall be made of the whole lands &c. ſo holden by knights ſeruice, or of more then of two parts of the ſame, and alſo for the whole of all other ſuch lands &c. or any of them, not holden of the king by knights ſeruice in chiefe, or otherwiſe by knights ſeruice, or of any other perſon by knights ſeruice, and of any rents, commons, or other profits or commodities, out of, or to be perceiued of the ſame, or out of any parcell thereof, at his frée will and pleaſure.

Certaine lands holden of the king or others by knights ſeruice and certain in ſocage.

A will made of the whole ſhall be good for two parts.

The

The ſame diuiſion to be made and ſet forth by the owner of the ſaid lands &c. by his laſt Will in writing. And in default thereof, for as much of the ſame lands &c. as ſhall concerne the Kings intereſt, by commiſſion to be directed out of the Kings court of wards and liueries, in maner and forme aforeſaid, if the ſaid maſter of the wards &c. & the parties thereunto cannot otherwiſe agree vpon the ſame diuiſion. And reſtitution of the iſſues & profits of the two parts thereof ſhalbe had & made in maner & forme aboueſaid. And for ſuch of the ſame lands &c. as ſhall concerne the intereſt of any other Lord or Lords, by commiſſion to be granted out of the Chancery, to enquire thereof by the oths of xij. men, if the ſame Lord or Lords, & the parties thereunto cannot otherwiſe agree vpon the ſame diuiſion. 34.H.8.5.

An expoſition of the ſauings, reſeruings, & prouiſions made in theſe two Acts.

14 The ſauings, reſeruings, and prouiſions, concerning ſauing of the cuſtodie, wardſhip, reliefe, primer ſeiſin to the King, of ſuch manors, lands, tenements, and hereditaments, or as much thereof as ſhall appertaine vnto him by vertue of theſe two Acts, during the Kings intereſt therein: And alſo of the cuſtodie and wardſhip to other Lords of as much of ſuch lands &c. holden of them as ſhall amount and extend to the clere yearely value of the third part thereof aboue all charges, without any diminution or abridgement of the third part, or of the full profits thereof, compriſed in diuers articles in the ſaid former Act of 32.H.8. contained, be and ſhall be expounded, and taken as hereafter enſueth, viz. The king ſhall haue and take for his full third part of all ſuch manors, lands, tenements, and hereditaments, whereunto he is or ſhall be intituled by the ſaid former Act, and by this Act, ſuch lands &c. as ſhall by any meanes diſcend, or come by diſcent, aſwell of eſtate of inheritance, in fee taile, as in fee ſimple, or in fee taile onely, to the heire of any ſuch perſon that ſhall make any will, gift, diſpoſition, or deuiſe, by his laſt will in writing, or by any act or acts lawfully executed in his life, immediatly after the death of the ſame deuiſor or owner thereof. And the will, gift, and deuiſe of euery ſuch deuiſor or owner, of, and for the two parts of the ſaid lands &c. reſidue, ſhall be and ſtand good and effectuall in the law, albeit the ſame will, gift, or deuiſe be had and made of all his fee ſimple lands &c. or of the more part thereof. And in caſe the ſame lands &c. which after the death of any ſuch owner or deuiſor, which ſhall make any ſuch gift, diſpoſition, or deuiſe by his laſt will in writing, or otherwiſe by any act or acts lawfully executed in his life, to his wife, children, or otherwiſe as is aforeſaid, which ſhall immediatly after his death diſcend, reuert, remaine, or come to his heire or heires, aſwell of eſtate of inheritance in fee taile, as of eſtate in fee ſimple, or fee taile onely, be not or ſhall not amount or extend to the full clere yearely value of the third part, with the full profits thereof, of all the ſaid lands &c. of the ſaid deuiſor or owner, according to the true intent of the ſaid former act, and of this Act: then the King ſhall and may haue and take into his hands and poſſeſſion to make vp his full third part, with the full profits thereof, according to his intereſt therein, as much of the other lands &c. willed, giuen, diſpoſed, or aſſigned by any ſuch perſon to his wife, children, or otherwiſe as is aforeſaid, as with ſuch of the ſame lands &c. diſcended, or by any meanes come vnto the heire (as heire of any ſuch deuiſor or owner) ſhall make vp the clere yerely value of the ſaid full third part, with the full profits thereof, of all the ſaid land &c. of euery ſuch owner or deuiſor ſo to be had to the King in title of wardſhip or primer ſeiſin, as the caſe ſhall require. And the diuiſion thereof to be had and made, and with the reſtitution of the profits of the two parts of the ſaid lands &c. in ſuch maner and forme as is aboue rehearſed. And like benefit and aduantage ſhall be giuen, had, and taken to euery Lord & Lords, of whom any ſuch lands &c. be or ſhall be holden by knights ſeruice in maner and forme aboueſaid, concerning onely his or their third parts thereof, according to their ſaid intereſt therein. 34.H.8.5.

A remedy, where a full third part is not left.

15 If

15 If it happen the ſame third part, or any part thereof, left, willed, or aſſigned to the King, or other Lord, at any time during their intereſt therein, to be lawfully euicted or determined: Then the king and the other Lord ſhall haue as much of the two parts reſidue, as ſhall accompliſh and make vp a full third part in cleere yearely value, after the rate and porcion of ſuch lands &c. as ſhall then remaine of the ſame third part not euicted or determined, and of the other two parts of ſuch lands &c. as the king or other Lord ſhould or ought to haue had by vertue of the ſaid former act, and this act, and the ſame to be diuided in forme aboue rehearſed: any clauſe in the ſaid former act of 32. H.8. notwithſtanding &c. 34. H.8.5. *A remedy, if the third part be euicted.*

16 The ſauing and reſeruing for fines for alienations by any ſuch laſt Will and Teſtament of ſuch lands &c. holden of the king by knights ſeruice in chiefe, or of the nature of Knights ſeruice in chiefe, or by Socage in chiefe, or of the nature of Socage tenure in chiefe, or for fines for alienation of ſuch lands &c. wherof there ſhall be any alteration of freehold, or inheritance made by any ſuch laſt will comprized in ſundry Articles mencioned in the ſaid former Act, be, and ſhall be, intended and iudged, that all ſuch perſon or perſons to whom the ſaid lands &c. or any of them be, or ſhall be giuen, diſpoſed, willed, or deuiſed by any ſuch laſt Will, ſhall be exonerated, acquited, and diſcharged for euer againſt the king, his heires and ſucceſſors, for all ſuch fines for alienations, by any ſuch laſt Will or Teſtament, without licence, by ſuing forth of the kings pardon for alienation out of the Chancerie, paying to the king his heires or ſucceſſors, for the fine of euery ſuch alienation, the third part of the yearely value of the ſame manors, lands, tenements, or other hereditaments to him or them willed or deuiſed. And this Act from time to time ſhall be a ſufficient warrant to the Lord Chauncellor or Keeper of the great Seale for the time being, for the granting out of the ſaid pardons vnder the great Seale, as heretofore hath bin vſed for pardons for alienations without further ſuit to the King &c. 34. H.8.5. *A pardon of alienatiō muſt be ſued by thoſe to whom lands holden in Capite be deuiſed.*

17 Wils or Teſtaments made of any manors, lands, tenements, or other hereditaments, by any woman couert, or perſon within age of xxj. yeares, Ideot, or by any perſon De non ſana memoria, ſhall not be taken to be good or effectuall in the Law. 34. H.8.5. *Women couert. Infants. Ideots. Lunatikes.*

18 All and euery perſon and perſons, from whom the king or other Lord or Lords ſhall take any lands &c. for his or their full third part, or to make vp his or their full third part, ſhall & may in any of the caſes aforeſaid, vpon his or their bill exhibited in the Chauncery againſt all & euery ſuch perſon and perſons which ſhal be intituled, by or vnder any ſuch will, gift, diſpoſition or deuiſe, to the other two parts, haue ſuch contribution, or recompence for the ſame, as by the Chauncellor of England, or by the keeper of the great Seale for the time being, ſhall be thought good. 34. H.8.5. *Contribution for any lands taken away.*

19 But this Act and explanation doth not extend to the will or deuiſe of Sir Iohn Gaynford, Sir Peeter Filpot, Richard Creſwell, or of Thomas Vnton, or ſhall be hurtfull to any perſons concerning any lands, hereditaments &c. contained and ſpecified in any of the ſaid willes or deuiſes, but the ſaid Willes and euery of them, ſhall remaine in the ſame effect to all intents as they were before. 34. H.8.5.

20 Al widows may bequeath the crop of their grounds, as wel of their dowers, as of other their lands and tenements: Sauing to the Lords of the fee, all ſuch ſeruices as be due for their dowers and other tenements. Merton 20. H.3.2. *Widowes may bequeath their crop.*

21 In caſe any Incumbent happen to die, and before his death hath cauſed any of his Glebe lands to be manured and ſowen at his proper coſts with any Corne: then euery ſuch Incumbent may make his Teſtament of all profits of the *Incumbent may bequeath the crop of his glebe.*

the Corne growing vpon the ſame glebe lands ſo manured & ſowen. 28. H.8.11. S. Eccleſiaſticall 30.

1 For the prouing of Wils, committing adminiſtration, the Ordinarie and his miniſters fees, & their duties therefore. S. Probate of Teſtaments.

2 Fraudulent Wills to defeate the Lord of wardſhip, or other aduantages. S. Wardes 24.

Wines.

Prices of wines ſhall be aſſeſſed by the chiefe Magiſtrates.

THe Lord Chauncellor, the Lord Treaſurer, Lord Preſident of the K. Counſell, Lord Priuie Seale, and the two chiefe Juſtices of either bench, or fiue, foure, or three of them, haue authority by their diſcretions, to ſet the prices of all kind of Wines, viz. of the prices of the Butt, Tunne, Pipe, Hogſhead, Poncheon, Tierce, Barrel, or Runlet, when it ſhalbe ſold in groſſe, ſo that they or any of them cauſe the prices by them ſet to be written, & open Proclamation thereof to be made in the Chauncerie openly in the Terme time, or elſe in the Citie, Borough, or Towne, where any ſuch wines ſhall be ſold in groſſe. 28. H.8.14. And by the Statute of 37. H.8.23. the ſaid perſons ſhall yearely ſet the prices of all kind of wine, mentioned in the foreſaid Act, betweene the 11. day of November, & the laſt of December, and at no other time. S. 5. Ed.6.17. & the ſaid Statute of 37. H.8. and Quere if this laſt part of the Braunch remains in force.

Quære.

The forf. of them which ſell wines in groſſe contrary to the prices aſſeſſed.

2 If any perſon after ſuch prices be ſet and put in writing by the ſaid Lordes, or by fiue, foure, or three of them, & proclamation thereof had (as aforeſaid) doe ſell any wines in groſſe, by any couin, contrary to the ſaid prices ſo ſet and proclaimed, then he ſhall forfeit for euery veſſell by him ſold in groſſe, contrary to the ſaid prices vl.s. the one halfe to the King, and the other halfe thereof, (if it be in any Citie, Borough, or Towne Corporat) to be to the Maiors, Shiriffes, Baylifes, or other head rulers thereof, and if it be without citie &c. then to be to the K. and J. &c. to be recouered by A. J. &c. wherein no W. E. P. &c. 28. H.8.14. S. Iuſtice of peace 94.

Denying to ſell wines at the prices aſſeſſed.

3 Euery Marchant and other perſon which ſhall haue wines to be ſold, and refuſing to ſell or deliuer, or not telling any of the ſame wines for readie money, therefore to be paied, according to the price thereof then being ſet, ſhall forfeit the value of the wine ſo required to be bought, to the King and J. to be recouered by A. J. &c. wherein no W. E. P. &c. 24. H.8.6.

Where Iuſt. of peace or other officers may ſell other mens wines.

4 It ſhall be lawfull to all and ſinguler Juſtices of Peace, Maiors, and other head Officers, in Shires, Cities, Boroughes, and Townes, and in other places of this Realme within the precincts of their offices, at the requeſt of any of the Kings ſubiects to whom any denier of ſale, or from whom any reſtraint of ſale of any ſuch wines ſhall be made, and full payment thereof without delay offered to be made, according to the prices then ſet by the foreſaid Lords and Juſtices &c. to enter into the houſes, cellars, and other places where ſuch wines ſhall lye, and to ſell, and to deliuer the ſame deſired to be bought, to the perſon requiring to buy the ſame, taking of the buyer therof, to the vſe of ſatisfaction of the forfeiture aforeſaid, after the rate of the prices thereof ſet, as is aforeſaid. 24. H.8.6. S. 37. H.8.23. ſomewhat like the matter, and Quære if it remaine in force. 5. Ed.6.17.

He that kæpeth wine to ſpend in his houſe, or to retaile, ſhall not be forced to ſell it.

5 If at the time of any ſuch ſale of wine purpoſed to be made, the Marchant vintner, or other owner thereof, do truely ſhew to the ſaid Juſtice or head Officer purpoſing to make the ſaid ſale, what, and how much wine he then ſhall haue, and depoſe vnto his bodily oath, to be made & giuen by the diſcretion of the ſame Juſtice, or head officer, that he kæpeth the ſame wines, to the intent onely to draw and expend the ſame in his houſe by retaile, or otherwiſe, and not to ſell any of them

them in groſſe: Then the ſame Marchant, or Owner, ſhall kæpe the ſame wines without any ſale, and without any forfaiture for refuſall or reſtraint of ſale thereof. And in caſe that after ſuch oath the ſame owner do ſell the ſame wines, or any of them in groſſe, viz. by the Tun, But, Tierce, Pipe, Hogſhead, Barrell, or Rundlet, he ſhall forfeit the double value of all ſuch Wines ſo ſold in groſſe, to the King and I. to be recouered by A. &c. wherein no W. E. P. &c. 24. H. 8. 6.

None ſhall retaile wines but in market Townes, &c.

6 It ſhall not be lawfull to any perſon within any of the Kings Dominions of England, or Wales, to kæpe any Tauerne, or to ſell, or vtter by retaile by the gallon, or leſſe, or greater meaſure, in any place, any of the ſaid Wines, within any of the ſaid Dominions, except it be in Cities, Townes corporate, Boroughes, Port Townes, or Market Townes, or in the Townes of Graueſend, Sittingborne, Turford, and Bagſhot, vpon paine that euery perſon that ſhall ſo offend, ſhall forf. for euery day ſo offending, x. l. to the K. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 7. Ed. 6. 5.

Vintners in corporate townes aſſigned by the head officers.

7 It ſhall not be lawfull to any perſon or perſons, to kæpe any Tauerne, or ſell, or vtter by retaile, by the gallon, or leſſe, or greater meaſure, in any Citie, borough, or Towne corporat, any manner of Wines, but onely ſuch perſon and perſons as ſhal be thereunto nominated and aſſigned by the head Officers, and the moſt part of the common Councell, Aldermen, Burgeſſes, Iurates, or Comminalty of ſuch Citie, Borough, &c. where ſuch perſon or perſons ſhall tauerne, ſell, or vtter wine by retaile, as is aforeſaid: the ſaid nomination and aſſignement to be made by writing vnder the common Seale of ſuch Citie, Borough, &c. and ſhall continue in their force, or be changed, at the election and pleaſure of the head Officer or Officers, and the moſt part of the Common Councell, Aldermen, Burgeſſes, Iurates, or Comminaltie, for the time being of ſuch Citie and Borough, &c. by writing, and vnder ſuch common Seale, as is aforeſaid. Nor it ſhall be lawfull to any perſon or perſons to kæpe any Tauerne, or to ſell, or vtter any wine by retaile, as is aforeſaid, in any Citie, Borough, Port Towne, or Market Towne, not corporate, within England, or Wales, or in the ſaid Townes of Graueſend, Sittingborne, or Bagſhot, but onely ſuch perſon or perſons as thereunto ſhall be nominated and appointed, by all, or the moſt part of the Iuſtices of Peace of ſuch Countie where ſuch Tauerne or ſelling of wine by retaile ſhall be allowed, as ſhall be preſent at the generall Seſſions for the time being, holden within euery of the ſaid Counties, the ſaid appointment to be had and made in full Seſſion, by writing vnder the ſeuerall Seale of euery of the ſaid Iuſtices, and to be continued, altered, or changed, in like forme, and by like authoritie, as is laſt aforeſaid, vpon paine, that euery perſon that ſhall ſell or retaile any Wine, being not thereunto licenced and authorized, as is aforeſaid, ſhall forfeit for euery day that he ſhall ſo offend, x. l. to the King and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 7. Ed. 6. 5.

Vintners in Townes not corporat aſſigned by Iuſtices of peace.

How many Tauernes may be appointed in euery Citie or Towne.

8 No perſon or perſons hauing authoritie by this Act to nominate or aſſigne what perſons ſhall Tauerne, vtter, or ſell wine by retaile, as is aforeſaid, ſhall appoint by his or their writing any greater number of Tauernes, or Wine-ſellers, then two, by retaile to ſell, or vtter wine, or kæpe or continue any Tauerne at any time in any one Citie, Borough, Towne corporat, Port towne, or Market town, or in Graueſend, Sittingborne, or Bagſhot (all and euery ſuch Citie & Towne hereafter expreſſely named, onely except) And it ſhall not be lawfull to appoint by writing in the Citie of London to ſell or vtter wine by retaile, at any time, aboue the number of 40. Tauerns, or Wine-ſellers, and in Yorke 8. in Norwich 4. in Weſtminſter 3. in Briſtow 6. in Lincolne 3. in Kingſton vpon Hull 4. in Shrewesbury 3. in Excester 4. in Saliſbury 4. in Glouceſter 4. in Weſtcheſter 4. in Hereford Eaſt 3. in Worceſter 3. in Southhampton 3. in Canterburie 4. in Ipſwich 3.

wich 3. in Winchester 3. in Oxford 3. in Cambridge 4. in Colchester 3. in Newcastle vpon Tine 4. Tauernes or Winsellers, vpon paine, that euery person authorised by this Act to assigne Tauernes or Winsellers, to forfeit for euery nomination or appointment by him made, contrarie to the forme of this Act, v.l. to the King and I. to be recouered by A.I. wherein no W.E.P. &c. 7.Ed.6.5.

No man shall retaile wine to be spent in his house.

9 No person shall sell or vtter by retaile any kind of wine to be drunk or spent in his mansion house, or other place in his tenure, or occupation, by any colour, craft, or meane, vpon paine to forfeit for euery such offence v.l. to the K. and I. &c. to be rec. by A.I. &c. wherein no W.E.P. &c. 7.Ed.6.5.

Within what time the forf. shall be taken.

10 This Act shall not extend to charge any person with any penaltie or forfeiture concerning any offence to be done contrary to the tenor thereof, vnlesse the offendor be sued, indicted, or presented for the same, within one yeare next after the same offence committed. 7.Ed.6.5.

The liberties of Cambridge and Oxford reserued.

11 This Act shall not be preiudiciall to any of the Vniuersities of Oxford and Cambridge, or to the Chauncellor or Schollers of the same, or their successors, or any of them, to impaire, or take away any of the priuiledges, franchises, or authorities to them, or any of them belonging, but they, and euery of them, and their successors, may haue, vse, and inioy all their priuiledges, franchises, &c. so that there be not any greater number of Tauernes kept within any of the said townes of Oxford and Cambridge, then may be lawfully kept by the prouision of this Statute. 7.Ed.6.5. S. Iustice of peace 95. Lectes 13.

Wines shall be assaied, & the corrupt poured out.

12 Assay shall be made of Wines twice euery yeare, once at Easter, and an other time at Michaelmas, and more often if need be, by the Lords of the Townes, and their Bailifes, and also by the Maiors & Bailifes of the same Townes, and all wines that shal be found corrupt, shall be poured out, and the vessels broken. And the Chauncellor & Treasorer, Iustices of the one Bench, and the other, and Iust. of Assise, haue power to enquire of the Maiors, and ministers of Townes, if they do not according to this statute, and besides that, to punish them as reason shall require. 4.Ed.3.12.

The contents of each vessell of wine.

13 No Marchant, nor other person, shall bring, or cause to be brought into this Realme, any But of Malmesey to be sold, vnlesse it do containe in measure at the least 126. gallons. Nor no maner of vessels, with any maner of Wines, whose soeuer they be, or of what Countrey soeuer they be, nor no maner of vessels of Oyle, vnlesse the same vessels of Wines or Oyle do containe the measure and assise following, viz. Euery Tunne to containe 252. gallons, euery Pipe 126. gallons, euery Tercian, or Punchion 84. gallons, and euery Hogshead 63. gallons, and euery Tierce 41. gallons, and euery Barrell 31. gallons and demy, and euery Rundlet to containe 16. gallons and demy. And the vessels of Wine and Oyle brought into this Realme to be sold, shall not be put to sale, vntill they be well and truely gauged by the Kings Gaugers, or his sufficient deputie, vpon paine to forfeit to the King all the said wines & Oyles sold contrarie to this ordinance, or the value of the same. 18 H.6.17. 1.R.3.13. 28.H.8.14. S. 14.R.2.8. that no person shall be impeached for not gauging of Renish wines, & Q. Euery Tunne, Pipe, Tercian, and other vessels aforesaid, of Honey, shall containe the quantitie aforesaid, and be gauged, in maner & forme aboue exprest, vpon the paine aboue limitted. And euery Gauger shall haue for his labour for the gauging of euery Tunne and Pipe of Oyle and Honey, as he taketh for euery Tunne and Pipe of Wine, and for euery Tercian & Hogshead after the rate. 18.H.6.17. See Waxe and Honey 6. this assise somewhat altered, for Honey.

All vessels of wine and oyle shall be gauged.

The contents of a vessell of Honey.

The Gaugers forf. if the vessell lacketh his content.

14 Euery Gauger within this Realme, shall truely and effectually within the limits of his office, gauge all the said Tunnes, Buts, Pipes, Tierces, Punchions, Tercians, Barrels, Hogsheads, and Rundlets, and shall plainly and truly

marke

marke vpon the head of euery ſuch veſſell the content of the ſame, vpon paine to forfeit to the partie, to whoſe vſe the Wine, Oyle, or other thing therein being ſhall be ſold, foure times the value of that which the veſſell ſo marked ſhall lacke of his lawfull content aboueſaid: The ſame forf. to be recouered ouer and aboue the coſts of the ſuit, by the Kings originall writ, or by bill, in any of the Kings Courts of his Common Lawes, or in any competent Court, hauing iuriſdiction in the place where that offence ſhall be committed, by A. or B. of debt, wherein no W. E. P. &c. And euery perſon ſelling the ſaid Wine, Oyle, or other thing contained in the ſaid veſſell marked, ſhall allow the price thereof to the buyer of the ſame, for euery quantitie of Wine, Oyle, or other thing contained in the ſaid marked veſſel, the full value of the lacke therof, being by reaſon of default of full gauge of the veſſell marked, or of default of filling of the ſame veſſell, after the rate of the whole price of the Wine, Oyle, or other thing ſo being ſold by the veſſell marked, vpon paine of forf. to the ſame buyer, the double value of the ſame veſſel, and wine, oyle, or other thing therein, being ſo ſold, the ſame forf. to be recouered together with the coſtes of the ſuit, in forme aforeſaid. 28.H.8.14. 1.R.3.13. 18.H.6.17. 27.Ed.3.8. 23.H.6.16.

How he ſhall be recompenced, which lacked his meaſure.

1 Marchants Aliens ſhall carrie no Wines out of the Realme, but ſhall ſell them here in groſſe. S. Marchants 1.

2 In what veſſels any French Wines may be brought into this Realme. See Ships 4. 5.

3 What cuſtome or ſubſidie ſhall be paied for ſweet Wines brought in. See Cuſtome 5.

Witneſſe.

IF any perſon, vpon whom any Proces out of any of the Courts of Record, within this Realme, or Wales, ſhall be ſerued to teſtifie, or depoſe, concerning any matter depending in any of the ſame Courts, and hauing tendered to him, according to his countenance or calling, ſuch reaſonable ſummes of money for his coſtes and charges, as (hauing regard to the diſtance of the places) is neceſſarie to be allowed in that behalfe, doe not appeare, according to the tenor of the ſaid Proces, hauing not a lawfull and reaſonable let to the contrarie: Then the partie making default, ſhall forfeit for euery ſuch offence x. pounds, and ſhall yeeld ſuch further recompence to the partie grieued, as by the diſcretion of the Iudge of the Court, out of the which the ſaid proces ſhall be awarded, according to the loſſe and hinderance, that the partie which procured the ſaid proceſſe, ſhall ſuſtaine, by reaſon of the non-apparance of the ſaid witneſſe: The ſaid ſeuerall ſummes to be recouered by the partie ſo grieued, againſt the offendor, by A. I. B. P. &c. in any of the Queenes Courts of Record, wherein no W. E. P. &c. 5. Elizab. 9. 29. Elizab. 5.

If witneſſe vpon proces ſerued &c. ſhal appeare.

2 When a deed, releaſe, acquitance, or other writing is denied in the Kings Court, wherein witneſſes be named, proces ſhall be awarded, to cauſe ſuch witneſſes to appeare, ſo that if none of them come in at the great diſtreſſe returned, or if it be returned, that they haue nothing, or that they cannot be found, yet the taking of the Enqueſt ſhall not be deferred by the abſence of ſuch witneſſes. And if the witneſſes do come in at the great diſtreſſe, and the Enqueſt for ſome cauſe remaine vntaken, the witneſſes that come in, ſhall haue like day giuen them, as is aſſigned for the taking of the Enqueſt: at which day, if the witneſſes do not appeare, the iſſues that were firſt returned vpon them, ſhall be forfeited, and the taking of the Enqueſt ſhall not be deferred, becauſe of their abſence. And for abſence of witneſſes dwelling within Franchiſes, where the Kings writ originall

Proces againſt the witneſſe of a deed denied.

doth not lye, the taking of an Enquest shall not be deferred. 12. Ed. 2. 2. See Triall 9.

1 The penaltie for procuring any witnesse to commit wilfull Periurie, or being a witnesse to commit wilfull periurie. S. Periurie 1. 2.

Woods.

There shall be xij. standils left in an acre of wood at the felling thereof.

IN and vpon all and singuler seuerall Woods, commonly called copies woods, or vnderwoods, which shall be felled at viij. yeares growing, or vnder, there shall be left standing and vnfelled for euery acre of Wood, that shall be felled within the said copies, xij. standils, or stozers of Oke, and if there be not so many standils of Oke, then there shall be left so many of other kind, viz. of Elme, Ash, Aspe, or Beech, as shall make the said number of xij. likely to be timber trees, the same to be of such standils, as haue been left there standing at any felling of the same wood, &c. in time past. And in case there be no such stozers there standing, which were there left at the last felling of the same woods: then the same standils shall be left at the next felling of the said woods &c. of such most likelyest Okes, and if there be not sufficient of Okes, then of the most likelyest Elmes, Ash, Aspe, or Beech, to preaue timber trees, as shall grow within any such seuerall woods, copies, or vnderwoods. And the same standils so left, shall be preserued & not felled, till euery of them shall be of ten ynches square, within three fot of the ground, vpon paine, that euery owner of euery such standils, hauing an estate of inheritance, or for terme of life, of freehold, or by Copie of Court Roll, or for yeares, in that ground where the same standils shall grow, causing any such woods to be felled, and not leauing the said stozers there standing in forme afozesaid, to forfeit for euery standill so not left standing in the said woods &c. iij. s. iij. d. and vpon paine, that euery owner, as is afozesaid, of any such woods, &c. causing any of the said standils so left, to be cut downe, contrarie to the forme of this Act, to forfeit for euery of the said standils, which shall be cut downe, iij. s. iij. d. to the King and I. to be recouered by A. I. B. P. &c. wherein no W. E. P. &c. 35. H. 8. 17. 13. Eliz. 25.

How long the standils left shall remaine vnfelled.

Woods felled at, or vnder xiij. yeares growth, shall be preserued vj. yeares.

2 All and singuler copies and vnderwoods, which shall be felled at viij. yeares growth, or vnder, and not being aboue the said age, from and after the 20. day of Aprill, next after the felling thereof, during the terme of fiue yeares, then next insuing, shall be sufficiently inclosed, or the springs thereof otherwise saued from destruction by any manner of cattell, by him which then shall haue lawfull interest & possession in the said woods, &c. vpon paine of euery person so bounden to inclose or preserue the said woods, to forfeit for euery Rod thereof, so not inclosed, or preserued, during the said vj. yeares, iij. s. iij. d. for euery moneth that the same woods shall be vnclosed, or not so preserued, &c. 35. H. 8. 17. 13. Eliz. 25.

Woods felled aboue xiij. yeres growth, & vnder xxiij. shall be preserued viij. yeres.

3 All and singular copies, or vnderwoods, which shall be felled, being aboue the age of foureteene yeares growth, and not aboue the age of xxiij. yeares growth, from the 20. day of Aprill, next after the felling thereof, during the terme of viij. yeares, next insuing the same 20. day of Aprill, shall be sufficiently inclosed, or the springs thereof otherwise preserued from destruction by any maner of cattell, by such, which then shall haue lawfull interest and possession in the said woods, &c. vpon paine of euery person so bound to inclose or preserue the said woods, to forfeit for euery Rod not so inclosed or preserued, during the said eight yeares, iij. s. iij. d. for euery Moneth that the same woods shall be vnclosed, and not preserued, as is afozesaid. 35. H. 8. 17. 13. Eliz. 25.

No woods shal be conuerted into tillage or pasture.

4 No person shall conuert into pasture, or tillage, any such copies, or vnderwoods, contayning in quantitie two acres, or aboue, which now, (viz. 14. die Ian. Añ Dom. 1543. & 35. H. 8.) be woods or vnderwoods, and put or reserued to the

vse

vſe or increaſe of wood, or vnderwood, and being two furlongs diſtant from the houſe of the owner thereof, or from the houſe whereunto the ſaid Wood doth lye, or belong, vpon paine to forfeit for euery acre of wood ſo to be conuerted from wood into paſture, or tillage, xl. ſ. But this Act ſhall not extend to any copies woods, or vnderwoods, deſtroyed or turned into tillage or paſture within xx. yeres laſt paſt, (viz. before 14. die Ianuarij, Anno Domini 1543.) although the more part, or any part thereof be ouergrowne with buſhes, or vnderwoods. 35. H. 8. 17. 13. Eliz. 25.

5 Euery perſon, bodie politique and corporate, hauing any ſeuerall woods or copies growing and ſet with great trees, being aboue the age of xxiiij. yeares growth, ſhall at the felling or weeding thereof, leaue ſtanding within the precinct of the ſaid wood and copies, for euery acre ſo felled, xij. trees of Oke of the ſame great trees, if there be ſo many trees of Oke there to be left, and for lack of Okes, then to leaue for euery acre ſo felled, as many other trees of Elme, Aſh, Beech, or Aſpe, as ſhall make the full number of xy. of ſuch as ſhall be there then growing, the ſame trees there ſo left to ſtand, and to be preſerued by ſuch owner during xx. yeares next after ſuch felling of the ſame woods. And alſo ſhall from the xx. day of Aprill, next after the felling thereof, during the terme of ix. yeares then next following, ſufficiently incloſe them, or the ſprings thereof, or otherwiſe ſaue from deſtruction by any manner of cattell, vpon paine, that euery ſuch perſon, being owner of the ſaid great woods, to forfeit for euery ſuch great trees of the ſaid number lacking, and not left ſtanding, vj. ſ. viij. d. And vpon paine, that euery owner of the ground whereupon ſuch great trees ſhall be left ſtanding, cauſing, or commaunding any of them to be cut downe, contrarie to the forme of this Act, to forfeit for euery of them ſo left, which ſhall be ſo cut downe, vj. ſ. viij. d. And vpon paine alſo to forfeit for euery Rod of ſuch great wood ſo not incloſed or preſerued, during the ſaid ſpace of ix. yeares, for euery Poneth iij ſ. iij. d. 35. H. 8. 17. 13. Eliz. 25.

At the felling of wood aboue xxiiij. yeares growth, there ſhall be xij. trees left in an acre.

Wood felled at xxiiij. yeres growth, ſhall be preſerued ix. yeares.

6 But it ſhall be lawfull to euery owner of any of the ſaid copies, woods, vnderwoods, ſtandils, great woods, and trees afore rehearſed, to fell and take any of the ſame for buylding, repairing, incloſing, and maintaining of houſes, orchards, and gardens, and euery of them, and for paling, railing, or incloſing of Parkes, Forreſts, Chaſes, or other grounds, and for making or repairing of water workes, dammes, bridges, floudgates, making or repairing, or amending of ſhips, and all other veſſels, and for all other things concerning his owne vſes or affaires, in ſuch like manner, as he might lawfully haue done before the making of this Act. 35. H. 8. 17.

In what caſes one may fell ſtandils.

7 It ſhall not be lawfull to any perſon which ſhall haue any woods, or vnderwoods, wherein any other perſon or perſons iuſtly hath, or haue vſed, time out of mans remembrance, to haue common of paſture, to fell, or cut downe the ſaid woods, or vnderwoods, there growing, or being, (except it be to his owne vſe & occupation) vntill the fourth part of ſuch woods, vnderwoods, or grounds, where the ſame woods grow, or as much as the fourth part of the ſaid ground ſhall amount vnto, ſhall be by the Lord and owner of the ſaid ground diuided, ſet out, bounden, and incloſed in manner & forme hereafter declared, viz. the ſaid Lord that then ſhal be owner of the ſaid ground, ſhall call together the Tenants and Inhabitants being Commoners in the ſaid ground, or the more part of them: and vpon the aſſemblie and meeting of the ſaid Lords, Tenants, & Inhabitants, or the more part of them, the ſaid Lord, or owner, by the conſent and agreement of the ſaid Tenants, and Inhabitants, or the more part of them, ſhall diuide, ſet out, mete, and bound the fourth part of the ſaid woods & vnderwoods, or ſo much thereof, as ſhall amount to the full fourth part thereof. An 35. H. 8. 17.

The felling of woods, wherein others haue common.

Diuiding the fourth part of the wood.

where two Iuſtices with the Lord and tenants ſhall diuide the wood.

8 And if the ſaid Lord, and the ſaid Tenants & Inhabitants, or the more part of them, cannot, will not, or do not agree, for, or vpon the ſeuering, ſetting out, and bounding of the ſaid iiij. part of the ſaid woods & vnderwoods, or of as much thereof, as ſhall amount to the full fourth part thereof, then two Iuſtices of the peace, not being of the kin, aliance, councell, or fee, of, or to the ſaid Lord or owner (being thereunto appointed by the more number of the Iuſtices of peace of the Shire, where the ſaid ground lieth, in their open quarter Seſſions) vpon requeſt and ſuit made vnto them by the Lord, or owner, or by his lawfull deputie, of the ſaid woods, grounds, &c. ſhall haue full power to call before them vpon ſuch paines and penalties, as the ſaid Iuſtices ſhall appoint, ſuch vij. of the ſaid Commoners and Inhabitants nigh vnto the ſame woods, &c. as by the ſaid two Iuſtices ſhall be thought conuenient. And vpon or after the apparance of the ſame Lords, Owners, Commoners, and Inhabitants, or the more part of them, the ſame Iuſtices ſhall declare vnto them the cauſe of their aſſemblie, and that done, ſhall by the aduice and aſſent of the ſaid Lords, Owners, Commoners, and Inhabitants, or their lawfull deputie or deputies, or of the more part of them, effectually proceed to the ſeuering, diuiding, meting, and bounding of the ſaid fourth part of the ſaid woods and vnderwoods, or of ſo much thereof as ſhall amount to the fourth part thereof. 35. H. 8. 17.

Where the Iuſtices only ſhall make the diuiſion.

9 And if the ſame Iuſtices, Owners, Commoners, and Inhabitants, or the more part of them, cannot, or will not agree vpon the diuiſion, bounding, or ſetting out the ſaid fourth part thereof, as is aforeſaid: Then the ſaid Iuſtices ſhall haue full power to ſeuer, diuide, and ſet out, by mete and bound, the fourth part of the ſaid woods and vnderwoods, or ſo much thereof vnder the ſame fourth part, as ſhall by the ſaid Iuſtices be thought neceſſarie and requiſite to be ſet out. And within the Moneth next after ſuch ſeuerance and ſetting forth thereof, the Owner or Owners of the ſame woods or vnderwoods, in forme afore declared, ſhall ſufficiently incloſe the ſame part of the ſaid ground ſo ſet forth, as is aforeſaid. And after ſuch incloſure made, he may at his libertie fell and take the ſaid woods and vnderwoods, being in, or vpon the ſaid copies, woods, vnderwoods, or ground ſo ſet forth, or any part thereof. 35. H. 8. 17.

How many ſtandils ſhal be left ſtanding in common woods incloſed & felled.

10 There ſhall be left ſtanding and vnfelled, in, and vpon the ſaid part of euery the ſame woods or vnderwoods, or ground ſo ſeuered, bounded, and ſet out diſtinctly, in forme aforeſaid, at euery felling thereof, ſuch and like number of ſtandils or ſtorers of young Okes, and other young trees of Elme, Aſh, Aſpe, or Beech, if it be copies, or vnderwoods, which ſhall be ſo felled, and if the woods that ſhall be felled, ſhall be great trees, or great woods, then ſuch number ſhall be left ſtanding of great trees, in, or vpon the ſaid part, to all intents, and vpon like and the ſame penalties, as before is limitted, for not leauing, and preſeruing of ſtandils in ſeuerall woods and grounds. And the ſaid part ſo fenced, bounden, and ſet out in maner and forme aforeſaid, after euery felling of the copies, woods, or vnderwoods for the time being, in, or vpon the ſame, ſhall be ſufficiently incloſed and fenced, and the incloſure thereof ſufficiently and continually made, or repaired, and maintained, by the ſpace of ix. yeares next after euery felling thereof, in like manner and forme, to all intents, and vpon the ſame and like penalties, as is before appointed for the not cloſing or fenſing, or for the not repairing and preſeruing of the ſaid ſeuerall copies &c. And alſo the ſtandils, ſtorers, and great trees appointed to be left ſtanding, in, or vpon the ſaid part, ſhall be there left ſtanding, preſerued, and not cut downe, in ſuch like manner, and by all ſuch time, and vpon ſuch like penalties, to all intents, as is afore limitted for the preſeruation of the ſaid ſtorers and great trees, appointed to be left, in, or vpon the ſaid ſeuerall copies &c. 35. H. 8. 17. 13. Eliz. 25.

How long cõmon woods incloſed ſhal be kept in ſeuerall.

Preſerning of ſtandils not cut downe.

11 After the ſaid felling of the ſaid copies, vnderwoods, and woods, growing in any ſuch part of the ſaid woods, grounds, or places before declared, no beaſts or cattell during the ſpace of ix. yeares next after the felling of the ſame woods, ſhall willingly by any perſon be put in, or ſhalbe ſuffered to feed or continue in any parcell of any ſuch part ſo ſet forth, as is aforeſaid, during the ſaid terme of ix. yeares, next after the felling thereof, vpon paine of forfeiture of iiij. s. for the putting in of any beaſts, or wilfull ſuffering of any beaſt or cattell to be put into any of the ſaid ſeuerall copies, vnderwods, or woods, &c. 35. H. 8. 17. & 13. Eliz. 25. How long woods incloſed from the common ſhall be defenced from cattell.

12 If it ſhall happen any perſon being owner of any ſuch woods, vnderwoods, or copies, lying and being in any waſt ground, to cut downe any trées, or vnderwoods, contrarie to the forme aforeſaid, then euerie perſon ſo offending, ſhall forfeit for euerie trée ſo cut downe ſixe ſhillings eight pence: all which forfeitures ſhall be to the K. and I. to be recouered by A. I. &c. wherein no Wi. E. P. &c. 35. H. 8. 17. Cutting of wood in waſt ground. The forfeitures.

13 For aſmuch as the ſaid tenants, commoners, and inhabitants ſhall be excluded of their common in the ſaid part ſo to be ſeuered, as is aforeſaid, by all the ſaid terme of ix. yeares next after the felling of the ſaid copies, woods, and vnderwoods, that ſhall grow vpon the ſame: in recompence thereof, they ſhall and may vſe and haue their common for their cattell, within the reſidue of the ſaid woods, vnderwoods, ground and ſoile, not being incloſed, in maner and forme, as if this act, had neuer béene made. And the Lord being owner of the ſaid ground, ſhall be excluded to put, or haue any cattell or beaſts in or vpon the ſame reſidue, or to take any profit of the paſture in the ſaid reſidue, during and by the terme of vy. yeares next after the felling of the ſaid copies, woods, or vnderwoods, growing vpon the ſaid part which ſhall be ſo ſeuered and incloſed as is aforeſaid. And after the ſaid nine yeares expired, vntill the next felling of the ſaid coppyes, woods, or vnderwoods, being vpon the ſaid part, being diuided as is aforeſaid, as well the ſame part, as the ſaid reſidue of the ſaid ground ſhall lie and be vſed in common, and the paſture and other profits thereof, ſhall and may be vſed and taken as well by the Lord, being owner of the ſaid ground, as by the ſaid tenants, commoners, and inhabitants, in like maner as it ſhould or ought to haue bén before the making of this Act, 35. H. 8. 17. Quære whether the Lord ſhall be excluded of his common for ſeuen yeares, or nine yeares: for the ſtatute of 13. Eliz. 25. giueth the Lord two yeares more then the ſtatute of 35. H. 8. to incloſe or kéepe in ſeuerall, his woods, but it doth not exclude the Lord of his common for any further time, then in the ſaid ſtat. of 35. H. 8. limited, which is but vy. yeares. The Lord of a wood excluded of his common.

14 It ſhall be lawfull to any perſon to fell and to incloſe all their copies, woods, and vnderwoods, in any waſt grounds, which before the making of this Act haue béene vſed to be incloſed and kept for the maintenance of wood and vnderwood. 35. H. 8. 17. Woods vſed to be incloſed.

15 If the ſame part of wood and vnderwood, ſo incloſed by the Lord or owner of the ſame, as ſhall be to him limited by the ſaid Iuſtices of peace, or commoners, be not felled within foure moneths next after the incloſing thereof, then & ſo long as the ſame woods ſhall not be felled, it ſhall be lawfull to the ſaid commoners, to put their cattell into the ſame wood & ground ſo incloſed, & the owner thereof ſhall leaue open conuenient places within the ſame incloſure, whereby the commoners beaſts may come into the ſame wood, and there to feed ſo long as the ſame wood ſhall be vnfelled. 35. H. 8. 17. The Commoners ſhall inioy their common, ſo long as the wood is vnfelled.

16 This act ſhall not extend to any of the Lords or owners of the woods, vnderwoods, or woodlands, growing or being within any of the townes, pariſhes, or places, commonly called or known to be within any of the Wields of Kent, Surrey, and Suſſex, other then onely to the common woods growing and being within Woods in the wields of Kent, Surrey, Suſſex.

in any of the ſaid wields of the ſaid Counties. 35. H. 8. 17.

To what wood this ſtatute extendeth not.

17 This Act ſhall not extend to charge any perſon with any penaltie contained therein, concerning any timber trées growing within y. miles of the Sea in the Countie of Cornewall, or any other timber trées within this Realme, bæing ſere and dead in the tops, or any timber trées to be taken by vertue of the K. Commiſſion within the Realme: Or of any offence done contrary to the tenor of this act, vnleſſe the perſon offending this act, be ſued for the ſame within one yere next after the ſame offence committed. 35. H. 8. 17.

Within what time the offender muſt be ſued.

Breaking of wood hedges.

18 If any perſon do breake or deſtroy any ſeuerall fences, or hedges, made for the ſauing of the ſame woods, vnderwoods, grounds, or ſoiles, he ſhall forf. for euery ſuch offence x. ſ. 35. H. 8. 17.

Swine ſhall not goe in the wood vnringed.

19 If any perſon ſuffer his Swine being of the age of x. wækes or aboue, (during ſuch yeares as the ſaid woods be appointed by this act to be incloſed) to go or runne in any common, or ſeuerall ground, or woods, vnleſſe the ſame be ſufficiently ringed, or pegged, then the owner of euerie ſuch ſwine, ſhall forfeit for euerie ſuch his ſwine that ſhall goe vnringed xx. iiij. d. the one halfe of the ſaid forfaitures if it be in any of the kings woods, or grounds, to be to his Highneſſe, and the other to the finder thereof, and if it be within any other perſons grounds, or woods, the one halfe of the ſame forfeitures to be to the owners of the ſoyle, and the other to him that will ſue for the ſame by A. J. &c. wherein no W. E. P. &c. 35. Hen. Octaui 17.

The fencing of wood in a Parke where in Dære is kept.

20 Where any Woods, or vnderwoods ſhall be felled in any parke, or ground incloſed, wherein any Dære ſhall be then kept, the owner or poſſeſſioner of ſuch Parke or grounds ſhall be chargeable for the incloſure, and preſeruation of the ſame as is aforeſaid, but onely for the ſpace of fiue yeares after any ſuch time of felling of the ſame woods &c. and not aboue. 35. H. 8. 17.

Where a ſtrãger is cauſe of the offence, he onely ſhall be puniſhed.

21 If the incloſure of any of the ſaid copies, woods, vnderwoods, or grounds, happen to be broken, or pulled downe, by any perſon againſt the will of the owner or poſſeſſioner of the ſame woods, &c. whereby cattell eſcape into the ſame woods, &c. and deſtroy or hurt the ſpring thereof, or if the ſame woods, grounds, or vnderwoods, be by any meanes deſtroyed, hurted, or hindred, by any perſon, or by the cattell of any perſon, without the aſſent and will of ſuch owner or poſſeſſioner: in euery ſuch caſe the ſaid penalties contained in this Act, ſhall be extended vpon the ſame perſon, by whoſe default the ſame ſpring, wood, or vnderwood ſhall be ſo deſtroyed or hurted, and not vpon the owner or poſſeſſor of the ſaid woods, grounds, or vnderwoods. 35. H. 8. 17. 13. Eliz. 25.

Within what time Cattell may be put into copies woods.

22 It ſhall not be lawfull for any perſon to put any maner of cattell into any copies woods incloſed to be preſerued, from the time of the ſale thereof, vntill the end of fiue yeares, nor from the end of v. yeares, any other cattell but Calues, and yeareling Colts onely, vntill the end of vj. yeares, if the wood was vnder the age of xiij yeares at the laſt fall, or vntill the age of viij. yeares, if the wood was aboue the age of xiij. yeares, at the time of the laſt fall. 13. Eliz. 25.

How a man may vſe his wood which is within the forreſt.

23 Euery man that hath wood within the Forreſt, may take houſebote and haybote in the ſaid wood, without being attached by any officer of the forreſt, ſo that he do it by the view of the forreſters. 1. Edw. 3. 2. And euerie freeman may take agiſtment in his owne wood within the Kings forreſt at his pleaſure, and ſhall haue his pawnage, and may driue his Swine through the Kings demeane woods, for to agiſt them in his owne woods or elſewhere, and if the Swine tarrie one night in the forreſt, he ſhall not loſe one of them thereby. Charta de Foreſta. 9. Hen. 3. 9.

Agiſtment.

Purpreſtures waſts, aſſerts made in the forreſt.

24 Thoſe that do make Purpreſtures in their woods which they haue in Forreſts, without the K. ſpeciall licence, or waſt, or aſſert in the ſame, ſhall aunſwere

to

to the K. for the same walks, purprestures, and asserts. But euerie freeman shall without daunger make in his owne wood, in his owne ground, or in his water, which he hath within the Kings forrest a mill, a pole, a pond, a marle pit, a ditch, or arable land, without inclosing that arable ground, out of the couert of the forrest of ground which hath been arable, so that it be not to the hurt of any of his neighbours: and also he may haue within his woods Ayries of Haukes, Sparhaukes, Falcons, Eagles, and Herons, and the honie that is found within his woods. Charta de Foresta. An 9.H.3.4.12.13.

How each man may vse his wood within a forrest.

25 If any of the Kings subiects hauing woods of his owne, growing in his owne ground within any forrest, chase, or purliew of the same within this realme of England, shall cut or cause to be cut the same wood, or part thereof, by licence of the King, or of his heires, in his forrests, chases, or purliewes, or without licence in the forrest, chase, or purliews of any other person, or make any sale of the same wood: It shall be lawfull to the same subiect, owner of the same grounnd whereupon the wood so cut did grow, and to other such persons to whom such wood shall be sold, immediatly after the wood so cut, to copie, and inclose the same ground with sufficient hedges, able to keep all maner beasts and cattell out of the same ground, for the preseruing of their yong spring, and the said hedges being so made, the said subiects may keepe them continually by the space of seauen yeares next after the same inclosing, and repaire and sustaine the same as often as shall need within the same seauen yeares, without suing any other licence of the K. or of his heires, or other persons, or any of their officers, of the same forrests, chases, and purliewes, 22.Edw.4.7.

How long wods felled in the forrests may be inclosed.

1 The forf. for burning of any heape of wood felled. S. Burning 1.

2 At what time Oke trees meete to be barked, shall be felled. S. Leather 15.

3 No Purueyors of timber shall fell any trees growing about any mans house. S. Purueyors 8.

4 No Purueyor of timber shall fell any timber to the Kings vse, but onely in barking time, or shall take away any more then onely the timber tree. See Leather 16.

5 None shall buy wood but they which will burne or retaile the same. S. Fuell 1.

6 Where woods shall be felled in or neere high waies. S. Highwaies 18.

7 What woods may be felled, and in what places for the making of yron, and what not. S. Iron.

8 How euerie Licence for transporting of wood shall be vsed. S. Corne 3.4.

Wools.

NO person being borne within the Kings obeisance, shall buy, bargaine, take, or make any promise or bargaine of wols, but onely such person, his wife, or his apprentice, inhabiting in his mansion house, as shall of the said wols make yarne, any kind of clothes, Chamlets, Wollteds, Saies, Stamine, knit hose, knit peticotes, knit gloues, knit sleeues, hats, coifs, cappes, Arras, Tapestrie couerlets, girdles, or any other thing vsed to be made of woll, or mixed with woll within the Realme, or else a Marchant of the Staple, or his apprentice dwelling in his mansion house, to be shipped onely to the Staple, vpon paine of forfeiture of the double value of the said wols, so to be bought or bargaind, or taken by promise of bargaine contrarie to this Act, to the K. and J. to be recouered by A. J. &c. wherein no W.E.P. &c. 5.E.6.7. Neither shall any denizen buy any wols, but of the owner of the sheepe and tithe woll, but in the Staple. 14.R.2.4.

Who only may buy wols.

The words of the stat. be to be shipped onely to the staple of Calice: Ideo quære.

2 But

Wools growing in Northumberland.

2 But Marchants of Newcaſtell, and other perſons may buy wools of the growth of the Counties of Northumberland, Cumberland, Weſtmerland, Richmount, and Alderton ſhire, or the Biſhopricke of Dureſme, to the intent to ſhip or tranſport the ſame into the parties beyond the Sea, as they haue bẽn accuſtomed, any thing in this act &c. notwithſtanding. 5. Ed. 6. 7.

Staplers may ſell their refuſe wools and locks.

3 And alſo the marchants of the Staple from time to time may bargaine or ſell their refuſe courſe wools, and lockes, ſuch as is not mẽte for the ſaid Staple to any perſon that will buy the ſame to make yarne or cloth, or other things as is aforeſaid, within this Realme, ſo as the ſame be ſhot & packed by the woll packer, declaring of what packing or countrey the refuſe or lockes be, & writing vpon the Clothes wherein the ſaid refuſe woll is packed, in great letters, as they doe vpon the wools that are ſhipped to the Staple. 5. Ed. 6. 7.

How Norfolke woll may be bought & ſold againe.

4 Euerie perſon dwelling within the County of Norfolke, or Citie of Norwich, by himſelfe, or by his factor or ſeruant, may lawfully buy & bargaine wools, and take and make prouiſion to buy or bargaine wools growing onely within the ſaid Countie of Norfolke, ſo that the ſame perſon ſo buying or bargaining or making promiſe to buy or bargaine the ſaid wools, do ſell or retaile the ſame againe in the common market, or other open place within the ſaid Countie of Norfolke, or Citie of Norwich, to any perſon or perſons that will buy the ſame or any parcel thereof dwelling within the ſaid Countie of Norfolke and Citie of Norwich, or any of them that will ſpin the ſame within the ſame Countie or Citie. 1. E. 6. 6. 5. E. 6. 7.

The inhabitants of Halifax may buy woll and ſell the ſame there againe.

5 It ſhall be lawfull to any perſon inhabiting within the parith of Halifax, to buy any woll, at ſuch time as the Clothiers may buy the ſame (otherwiſe then by ingroſſing and forſtalling) ſo that the perſons ſo buying the ſame, doe carrie or cauſe to be carried the ſaid wools ſo bought by them to the towne of Halifax, and there to ſell the ſame to ſuch poore folke of that and other parithes adioining, as ſhall worke the ſame in cloth of yarne (to their knowledge) and not to the rich clothier, nor to any other to ſell againe. And if either the ſaid woll driuer ſhall ſell his ſaid wools at any other place forth of the ſaid towne of Halifax, or if any ſuch that ſhall buy their wools at Halifax, ſhall ſell their wools, that they bought, againe vnwrought in yarne or cloth, then euery ſuch offender ſhall forfeit the double value of the woll ſo ſold or vttered, to the Q. & I. that wil ſue for the ſame in any of the Q. courts of record, or before the Iuſt of the peace in their Seſſions. 2. & 3. P. & M. 13. S. Iuſt. of Peace 98.

At what time a marchant alien may buy woll.

6 No marchant ſtranger, by himſelfe, or by any other perſon for him, in his name, or to his vſe, ſhall bargaine, or buy any wools before the feaſt of the purification of our Lady nert after the clipping or ſhearing of the ſame wools, vpon pain of forfeiture of the double value of the ſame wools, to the K. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. E. 6. 7.

No man ſhall kẽp his woll aboue a yeare.

7 No perſon hauing any woll of his owne growth, ſhall kẽpe the ſame wools to the intent to ſell the ſame in wools vnwrought, aboue one whole yeare nert and immediatly after the ſhearing of the ſame wools, ſo as there be offered without fraud or couin to the owner or owners thereof within the ſame time, ſuch price as then ſhall be moſt commonly giuen in the ſame ſhire for woll of like goodneſſe and packing, vpon pain of forf. for euerie tod, or tod weight therof ſo kept aboue one yeare vnſold, as is aforeſaid, r. s. to the K. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 7.

winding of wools.

8 No perſon ſhall wind, or cauſe to be wound, any fleece of woll, being not ſufficiently riuered or waſhed, ne wind, or cauſe to be wound within any fleece, clay, lead, ſtones, ſand, tails, deceitfull lockes, cot, calles, comber, lambes woll, or any other thing, whereby the fleece may be the more waighty, to the deceit and loſſe

of

of the buyer, vpon paine, the ſeller of any ſuch deceitfull wools, to forfeit for euery ſuch fleece vj. d. to the King and the finder, and prouer of the ſame deceit, to be recouered by A. I. &c. wherein no W. E. p. &c. 8. H. 6. 22. 23. H. 8. 17. 13. Eliz. 25.

Woolpacker. And if any woolpacker do make any other but good and due packing, he that feeleth himſelfe grieued thereby, ſhall haue his action of treſpaſſe and deceit, at the Common law, againſt him, and if any ſtraunger doe force, clacke, or beard any woll, he ſhall forfeit the ſame or the value thereof, and be impriſoned. 8. Henrici 6. 22.

Forze, clacke or beard wool.

Counties where wool is not waſhed, or fleeces ſold by taile. 9 But this Act concerning riuering and waſhing of any woll, ſhall not extend to any ſhire or ſhires, the inhabitants whereof haue not cuſtomably vſed before this time, to riuer or waſh their ſheepe before they be ſhorne, nor ſhall be hurtful to any perſons that haue vſed cuſtomably to ſell their wools by ſale, or number of the fleeces, and not by weight. 23. H. 8. 17. 13. Eliz. 25.

What woll may be refuſed Good packing. 10 No Denizen nor forrein, ſhall make any refuſe of wools, but of cot, gare, and villein. Neither ſhall any buy wools, by theſe words (good packing) nor other like words, vpon paine to forfeit to the partie grieued double dammages, and the Broker ſhall be halfe a yeare impriſoned. And whoſoeuer doth coket woll, but in the name of him whoſe the wools be, ſhall forfeit them. 13. Rich. 2. 9. 31. Edw. 3 8.

Cocketing of wools. 11 The Chauncellor, Treaſorer, and other of the Kings Councell, may defer the paſſage of wools when they ſee that need is. 31. Ed. 3. 9.

The Staple. In the time of Edward the third, and ſithence, diuers Statutes were made for the placing, maintenance, and remouing of the Staple, and for lawes and ordinances to be obſerued therein, and certaine Magiſtrats and Officers were ordained for the execution thereof, and ſeuerall ſtatutes were made, prohibiting wools to be carried to any other place, ſauing to Callice, or the places where the ſaid Staple was eſtabliſhed, but ſome of thoſe ſtatutes be repealed, many expired, and the vſe of the reſidue in effect taken away by the want of Callice, except thoſe which be expreſſed in this and other titles of this treatiſe. But whether the Staple is remoued, by what warrant and authoritie, and in what ſort, and how farre the ſtatutes prouided for the maintenance of the ſtaple of Callice do extend, or may be executed for the maintenance of the ſame in any other place, Quære.

1 For the contents of a ſtone, and ſack of wooll, S. Weights 3.

2 For the cuſtome of wools. S. Cuſtome 10. 18.

3 For the boyling of wooll, and with what ſtuffe it ſhall be boyled. S. Draperie 60.

4 No impoſition ſhall be ſet vpon wools &c. without aſſent of Parliament. S. 45. Edw. 3. 4.

Women.

Alienations &c. by the wife of the inheritance of her late huſband. IF any woman hauing eſtate in dower, or for terme of life, or in taile, ioyntly with her huſband, or onely to her ſelfe, or to her vſe, in any manors, lands, tenements, or other hereditaments, of the inheritance or purchaſe of her huſband, or giuen to the ſaid huſband and wife in taile, or for terme of life, by any of the anceſtors of the ſaid huſband, or by any other perſon ſeiſed to the vſe of the ſaid huſband, or of his anceſtors, and ſhall, being ſole, or with any other after taken huſband, diſcontinue, alien, releaſe, or confirme with warrantie, or by couin ſuffer any recouerie of the ſame againſt them, or any of them, or any other ſeiſed to their vſe, or to the vſe of either of them, after the forme aforeſaid: all ſuch recoueries, diſcontinuances, alienations, releaſes, confirmations, and warranties, ſo had and made, ſhall be vtterly void. And it ſhall be lawfull to euery perſon and perſons

ſo

to whom the interest, title, or inheritance after the decease of the said woman of the said lands &c. being discontinued, alienes, or suffered, to be recouered in forme aforesaid should appertaine, to enter into all and euerie of the premisses, & peaceably to possesse and enioy the same, in such maner and forme, as he or they should haue done if no such discontinuance, warrantie, nor recouerie had bẽn had or made. 11.H.7.20. S.Stat.Glouc.6.Ed.1. If a woman do sell or giue in fee, or for terme of life, a tenement which she holdeth in dower, the heire or other to whom the land ought to reuert after the decease of the wife, shall immediatly haue his recouery by writ of Entry out of the Chauncerie.

A writ of Entrie in casu prouiso.

2 If any of the said husbands and women, or any other seised to the vse of them, of the estate before specified, do make or cause to be made, or suffer any such discontinuance, alienations, warranties, or recoueries in forme aforesaid: Then it shall be lawfull to the person or persons, to whom the said lands, tenements, &c. should or ought to belong, after the decease of the said woman, to enter into the same, and them to possesd and enioy, according to such title and interest, as they should haue had, if the same woman had bẽn dead, no discontinuance, warrantie, nor recouerie had as against the said husband during his life, if the said discontinuance, alienation, warranties, & recoueries be had by or against the same husbands and women during the espousell betwirt them, But the said woman after the decease of their said husbands, may rẽnter into the same lands &c. and them to enioy, according to the first estate in the same. 11.H.7.20.

Upon the recouery or alienation of the woman, he in the reuersion may enter.

A woman couert bound but during her husbands life.

3 If the said women at the time of such discontinuance, alienations, recoueries, warranties, in forme aforesaid, had and made of any the premisses, be sole, then she shall be excluded of her title, and interest in the same from thencefoorth, and the person and persons to whom the title, interest, and possession of the same should belong after the decease of the said woman, shall immediatly after the said discontinuances, alienations, recoueries, and warranties, enter into the same lands &c. and them to possesd and enioy according to his or their title in the same. 11.H.7.20.

A woman sole aliening or suffering recouerie.

4 This act shall not extend to any such recouerie or discontinuance to be had with the heires next inheritable to the said woman, or where he or they that next after the death of the same woman should haue estate of inheritance in the same lands, &c. be assenting and agreeable to the said recoueries, where the same assent and agreement is of record and inrolled. And it shall be lawfull to euerie such woman being sole, or married, after the death of her first husband to giue, sell, or make discontinuance of any such lands, for terme of her life onely, after the course of the common law. 11.H.7.20.

A woman doth discontinue or suffer recouery with the heires consent.

A woman may giue land for terme of her owne life.

5 No fine, feoffement, or other act hereafter to be made, suffered, or done by the husband onely, of any lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the couerture betwirt them, shall in any wise be, or make any discontinuance thereof, or be preiudiciall or hurtfull to the said wife or to her heires, or to such as shall haue title, interest, or right to the same by the death of such wife or wiues. But the same wife or her heires, and such other to whom such right shall appertaine after her decease, shall & may then lawfully enter into such lands &c. according to their rights & titles therein, notwithstanding such fine, feoffement, or other act (fines leuied by the husband and wife, whereunto the said wife is partie and priuie onely except.) But this act doth not giue any liberte to any such wife, or to her heires, to auoid any lease made of any inheritance of the wife, by her husband and her for terme of one and twenty yeares, or vnder, or any her inheritance for terme of three liues at the vttermost, whereupon as much yearely rent or more is reserued, and yearely payable during the same lease, as was at any time therefore paid within twentie yeares next before the making of

The husbãds only act of the wiues lands shal not preiudice her, or her heires after his death.

Leases made by the husbãd & wife, of the inheritance of the wife.

any

any ſuch leaſe, accoꝛding to the tenoꝛ of this Act. 32. H. 8. 28. Neither doth this Act giue libertie to the wife, oꝛ her heires, to auoid any recoueries, dœdes inrolled, oꝛ releaſes, being in the nature of Fines (whereupon women couert are vſed to be examined) knowledged, and taken beſoꝛe the Maioꝛs, Aldermen, Recoꝛders, Chamberlaines, oꝛ other head Officers of the Citie of London, oꝛ other Cities, Boꝛoughes, oꝛ Townes coꝛpoꝛat, hauing power to receiue and take the ſame, accoꝛding to the Cuſtomes of the ſaid Cities, Boꝛoughes, &c. But the ſame recoueries, dœdes inrolled, and releaſes, ſhall remaine of like ſtrength to all intents, as they were beſoꝛe the making of the foꝛeſaid Statute of 32. H. 8. 34. H. 8. 22. S. Weſtm 2. 13. E. 1. 3. that if the huſband do loſe by default any tenement which he hath in his wiues right, the wife after the death of her huſband may recouer the ſame by a Cui in vita.

Recoueries oꝛ dœdes inrolled in coꝛpoꝛat townes.

Lands recouered againſt the huſband by default.

6 It ſhall not be lawfull to any perſon oꝛ perſons, to take, oꝛ conuey, oꝛ cauſe to be taken oꝛ conueied away, any Maid, oꝛ woman child vnmarried, being within the age of xvj. yeares, out of, oꝛ from the poſſeſſion, cuſtodie, oꝛ gouernance, and againſt the will of the father of ſuch Maid, oꝛ woman child, oꝛ of ſuch perſon oꝛ perſons to whom the father of ſuch Maid oꝛ woman child by his laſt Will, oꝛ by any other act in his life time ſhall aſſigne, bequeath, giue, oꝛ graunt the oꝛder, kæping, education, oꝛ gouernance of ſuch Maid oꝛ woman child, except ſuch taking and conueying away, as ſhall be had, made, oꝛ done, by, oꝛ foꝛ ſuch perſon oꝛ perſons, as without fraud oꝛ couin then ſhall be the Maſter oꝛ Miſtreſſe, oꝛ the Gardian in Socage, oꝛ Gardian in chiualrie, of, oꝛ to ſuch Maid, oꝛ woman child. 4. and 5. P. and M. 8.

Conueying aſway a Maid vnder xvj. yeares of age.

7 If any perſon oꝛ perſons aboue the age of xiiij. yeares, ſhall vnlawfully take oꝛ conuey, oꝛ cauſe to be taken oꝛ conueied, any Maid oꝛ woman child vnmarried, being within the age of xvj. yeares, out, of, oꝛ from the poſſeſſion, and againſt the will of the father oꝛ mother, of ſuch child, oꝛ out of oꝛ from the poſſeſſion of ſuch perſon oꝛ perſons as then ſhall haue by any lawfull waies oꝛ meanes, the oꝛder, kæping, education oꝛ gouernance of any ſuch maid oꝛ woman child: Then euery ſuch perſon and perſons ſo offending being thereof lawfully attainted oꝛ conuicted by the due courſe of the law of this Realme (other then ſuch of whom ſuch perſon taken away ſhall hold any lands oꝛ tenements by knights ſeruice) ſhall be x. yeares impꝛiſoned, of his oꝛ their bodies without baile oꝛ mainpꝛiſe, oꝛ elſe ſhall pay ſuch fine foꝛ his oꝛ their ſaid offence to the K. and P. grieued, as ſhall be aſſeſſed by the K. Councell in the Starre chamber at Weſtminſter. 4. & 5. P. & M. 8.

The foꝛf. foꝛ taking aſway a maid vnder xvj. yeares of age.

8 If any ſuch perſon oꝛ perſons ſhall take away, oꝛ cauſe to be taken away, as is afoꝛeſaid, and deflowꝛe any ſuch maid oꝛ woman child, as is afoꝛeſaid: Oꝛ ſhall againſt the will, oꝛ vnknowing of, oꝛ to the father of ſuch maid oꝛ woman child if the Father be in life, oꝛ of, oꝛ to the mother of ſuch maide oꝛ woman child (hauing the cuſtodie and gouernance of ſuch child, if the father be dead) by ſecret letters, meſſages, oꝛ otherwiſe, contract matrimonie with any ſuch maiden oꝛ woman child (except ſuch contracts of matrimonie as ſhall be made by the conſent of ſuch perſon oꝛ perſons as by the title of wardſhip ſhall then haue oꝛ be intituled to haue the mariage of ſuch maid oꝛ woman child) then euery ſuch perſon oꝛ perſons ſo offending, being thereof lawfully conuicted as is afoꝛeſaid, ſhall ſuffer impꝛiſonment of his oꝛ their bodies by the ſpace of fiue yeares, without baile oꝛ mainpꝛiſe, oꝛ els ſhall pay ſuch fine foꝛ his oꝛ their ſaid offence to the Quœne and party grieued, as ſhall be aſſeſſed by the K. Councell in the ſaid Starre chamber. 4. & 5. P. & M. 8.

Taking aſway & deflowꝛing, oꝛ contracting matrimonie with a woꝛ̃ vnder xvj yeares of age.

9 The Quœnes Councell of the Starre chamber by bill of complaint oꝛ infoꝛmation, and Juſtices of aſſiſe by inquiſition oꝛ indictment, haue authoꝛitie

who may heare and determine the offences afoꝛeſaid.

to heare and determine the ſaid offences: vpon euery which Indictments and Inquiſitions ſuch proceſſe ſhall be awarded, as vpon an Indictment of Treſpas at the Common Law. 4. & 5. P.& M. 8.

A woman betwixt xij. and xxj. conſenting to an vnlawfull contract of matrimonie.

10 If any woman Child, or Maiden, being aboue the age of xij. yeares, and vnder xxj. doe at any time conſent to ſuch perſon that ſhall ſo make any contract of Matrimonie, contrarie to the forme and effect of this Statute: Then the next of her kin, to whom the Inheritance ſhould returne, or come after her deceaſe, ſhall from the time of ſuch aſſent, haue and inioy all ſuch lands, tenements, and hereditaments, as ſhee had in poſſeſſion, reuerſion, or remainder, at the time of ſuch aſſent, during the life of ſuch perſon that ſhall ſo contract Matrimonie. And after the deceaſe of ſuch perſon ſo contracting Matrimonie, then the ſaid lands, tenements, &c. ſhall diſcend, reuert, remaine, and come to ſuch perſon or perſons, as they ſhould haue done in caſe this Act had neuer bæn made, other then to him onely that ſo ſhall contract Matrimonie. 4. & 5. P. & M. 8.

Orphanes.

11 But this Act ſhall not extend to take away, or diminiſh any libertie, cuſtome, or authoritie, concerning any Orphanes within the Citie of London, or any other Citie, Borough, or Towne where Orphans are commonly vſed to be prouided for, either by graunt, or by cuſtome: But the Lord Maior of the ſaid Citie of London, and the Aldermen of the ſame, and euery other head Officer of any other Citie, &c. where ſuch Orphanes be prouided for, ſhall, and may haue, and take like rule, order, keeping, and charge of ſuch Orphanes, and of all their lands, tenements, goods, and cattels, as heretofore they vſed, or lawfully might haue had and vſed, if this Act had not bæn made. 4. & 5. P. and M. 8.

Taking a woman againſt her will.

12 If any perſon or perſons ſhall take any Maid, widow, or wife, which hath any lands, or goods, or is Heire apparant to her auncеſtor, againſt her will vnlawfully: ſuch taking, procuring, and abetting to the ſame, and alſo receyuing wittingly the ſame woman ſo taken againſt her will, and knowing the ſame, ſhall be Felonie, and ſuch miſdoers, takers, and procurators to the ſame, and receiuors, knowing the ſaye offence in forme aforeſaid, ſhall be reputed and iudged as principall Felons: But this Act doth not extende to any perſon taking any woman, onely claiming her as his Ward or Bondwoman. 3. Hen. 7. 2.

Wards. Bondwomen

13 All and euerie ſuch perſon and perſons as ſhall be conuicted or attainted, of or for any offence to be committed after the ende of this Seſſion of Parliament made Felonie by the ſaid Act of Anno 3. Hen. 7. or which ſhall be indicted and arraigned of or for any ſuch offence, and ſtand mute or make no direct aunſwere, or challenge peremptorily aboue the number of twentie, ſhall in euerie ſuch caſe, loſe his and their benefit of Clergie, and ſhall ſuffer paines of death without any benefit of Clergie, any former law to the contrarie not withſtanding. Prouided alwayes, that this Act, or any thing therein contained, ſhall not extend to take away the benefit of Clergie, but onely from ſuch perſon and perſons as hereafter ſhalbe principals or procurors or acceſſaries before ſuch offence committed. 39. Eliz. 9.

The offend or ſhall not haue his clergie.

14 If any perſon or perſons will take by force, or diſſimulation, or by any other meanes will get into his or their poſſeſſion, any woman being ſole, hauing any lands, tenements, or moueable goods within this Realme, and conuey her into any place where he or they be of power, & will not ſuffer her to go at libertie vntill ſhe will be bound vnto him or them, or to ſome other, to his or their vſe, in a ſumme of money in an obligation, or obligations ſimple, or conditionall, or by obligation of the Statute Marchant, before a Maior or Bailiſe, hauing power

to

to take such Recognisances, or will cause the said summe to be levied of her lands or goods, or will cause her to be married against her will: Then the party which is bound may haue a writ out of the Chaunceric containing all the matter of her vnreasonable intreatie, directed to the Shirife of the Countie where any of the said offences shall be committed, comaunding him that he shall by force of that writ, make Proclamation in the full and nert Countie after the receipt of the said writ, that the person or persons contained in the said writ, shall appeare at a certaine day and place prefixed in the said writ, before the Chauncellor of England, or before the Justices of Assise in the Countie where the said offence was committed, or otherwise before some worthy person appointed by the Chauncellor, at which day and place if the partie &c. do appeare, the Chauncelor, Justice, or other person assigned, shall examine him duely vpon the premisses: by which examination if they may finde the said obligation or obligations, to be made in such forme as is aforesaid, then the said obligation or obligations, and all proces and execution thereupon pursued, shall be void. And if it be found by examination before them, that any of the said Obligations were made for vertuous dutie, and by no such meane as is aforesaid: Then the said Obligation, &c. and all the Proces and Execution pursued thereupon, shall be good and effectuall. And if the person or persons in such writs named, against whom any such letters or writs shall be sued, doe make default at the day and place limited in the said Writs: Then all such Obligations as be aboue specified, and in the said writs expressed, and all manner of Proces, and Executions, sued or pursued thereupon, shall be void, 31. H. 6. 9.

A woman enforced to be bound by Obligation or Statute.

15 The Shirife to whom such writs vpon this Statute commenced, shall be directed, shall execute the said writs according to the tenor thereof, vpon paine of CCC. pounds, whereof the King shall haue the one moitie, and the partie which sueth the Proclamation, the other: for the which moitie the said partie grieued shall haue an Action of Debt against the said Shirife, with proces of Outlawrie, wherein no W. P. &c. nor forreine plee to bee tried in any other place, but where the writ commenced vpon the Statute is sued. 31. H. 6. 9.

what the Shirife shal forfeit if he do not execute this writ.

16 If any man doth alien the right of his wife, the womans suit, or her heires shall not be deferred after the death of her husband by the minoritie of the heire which ought to warrant it, but the buyer (which ought not to be ignorant that he hath bought an others right) shall tarrie to haue his warrantie, vntill the full age of the heire. Westm. 2. 13. E. 1. 40.

A womans suit shall not be deferred by the minoritie of the heire.

1 What punishment doth insue the rape of a woman, or consenting to rape. S. Rape 1. 2. 3.

2 Where a woman shall haue her Quarentine, where her Iointure, where her Dower, and what causes there may bee of conclusion, or forfeiture. S. Dower.

3 Where a woman may haue Appeal of death, or murder. S. Appeales 4.

4 In what cases a woman aboue the age of xij. yeares is compelable to serue. S. Labourers 14.

5 What Leases made of a womans lands during her couerture shall bind her, and what not. S. Leases 1. 2. 3.

6 How Widowes, or other women which hold of the King in chiefe shall be vsed. S. Prerogatiue 4. 5.

7 In what cases a woman couert shall be receiued to defend her right of lands demaunded. S. Receit 1.

8 A Will made by a Woman couert of lands, is not effectuall in Law. S. Wils 17.

9 A Will made by a widow of her crop, is good. S. Wils. 20.

10 How far any woman ſhall be bound by the Statute prouided, to reſtraine Recuſants to certaine places of abode. S. Recuſants 39.

Worſteds.

Wardens of worſted weauers.

ANno 7. E. 4. 1. It was enacted, That men of the craft of Worſted weauers within the Citie of Norwich, ſhall haue power euerie yeare, the Munday next after the feaſt of Pentecoſt, to chooſe foure Wardens within the ſaid Citie of the ſame craft. And alſo that artificers of the ſame craft likewiſe out of the city, viz. within the Countie of Norfolke, ſhall haue power euerie yeare at the ſame day to chooſe foure wardens within and of the ſame Countie of the ſame craft. And the foreſaid Wardens within the County and Citie, ſhall come before the Maior of the ſaid citie for the time being, vpon Munday next after the feaſt of Corpus Chriſti then next following: And then ſhall be ſworne before the Maior of the ſaid Citie (and the Steward of the Duchie of Lancaſter for the time being if he ſhall be then in the ſaid citie.) And that all the ſaid Wardens, aſwell within the ſaid citie, as without, or els the greateſt part of them, vnder the forme aforeſaid choſen and ſworne, ſhall haue full power for the yeare then next following, to ſuruey the workemanſhip of the ſaid Artificers, and that they make and worke rightfully and well, and of good ſtuffe: And to ordaine ſuch rules and ordinances within the ſaid craft, as often as it ſhall ſéeme needefull and neceſſarie for the amendement of the ſaid Worſteds and craft: And that ſuch rules and ordinances ſo made and ordained by them ſhall be obeyed and kept by the ſaid Artificers: Or elſe, foure of the ſaid Wardens, calling to them fiue of the moſt diſcréet of the ſaid Artificers within the ſaid citie, And fiue of the ſaid Artificers within the ſaid Countie, by the diſcretion of the ſaid Maior and Steward, or one of them, ſhall puniſh ſuch of the ſaid Artificers, which breaketh or doth contrarie to any of their ſaid rules and ordinances. And moreouer in eſchewing of all ſuch diſceipt and falſhood which may happe to be done and wrought in the ſaid craft by the ſaid eight Wardens, by themſelues ſoly, or in concealing of the workemanſhip of others of the Artificers in the ſaid citie and Countie, It was further ordained that the Maior of the ſaid citie for the time being, and the ſaid Steward, or one of them, at ſuch time as he ſhall thinke conuenient, ſhall call before him the ſaid twelue artificers, or the greateſt part of them, and charge them to be ſworne to make rightfull ſearch, aſwell in the ſtuffe, as in all the working of the ſaid eight Wardens to be wrought and made: And the ſaid Wardens ſo found defectiue, or in execution of their office in ſearch of all other of the ſame Artificers within the ſaid citie and Countie, or in their owne ſtuffe or workemanſhip, ſhall be corrected by the ſame Maior and Steward, in ſuch ſort as other offenders of the ſame craft ought to be. And the ſaid Wardens and euerie of them in euerie part of the ſaid citie of Norwich, and elſewhere in the Counties of Norffolke, Suffolke, and Cambridge, at all times conuenient, ſhall haue power to ſearch all maner of Worſteds, & the ſtuffe of them, as well within the Lomes as out of the Lomes, wrought within the citie of Norwich, or Countie of Norfolk. And if any man before the ſaid Maior or Steward, or either of them, be thereof found defectiue, he ſhall be corrected by their diſcretion. And the Worſted & ſtuffe found in maner and forme aforeſaid defectiue, ſhall be forfeit: The one

halfe

halfe of ſuch forfeit as ſhall be found within the Citie of Norwich, ſhall be to the Mayor of the ſame Citie, And found in any other place, to the Mayors, Bayliffes of the Cities, Boroughs, and Townes, or to the chiefe Lords of the fee, of, and in ſuch place as ſuch Worſteds or ſtuffe for any of the cauſes aforeſaid ſhall be found defectiue or forfeitable by the ſaid Wardens, or any of them: And the other halfe ſhall be to the Wardens of the ſaid craft for the time being. And by the ſaid Statute it was further ordained, that the ſaid eight Wardens, the ſaid Munday next after Corpus Chriſti day, preſently after their charge ſhall aſſigne a certaine place or two within the ſaid Citie, and certaine daies by the weeke, and an other certaine place, or two, or more if they thinke it neceſſarie, in the ſaid Countie of Norfolke, and certaine dayes by the weeke for the yeare next following: to the intent, that euery piece of Worſted, which in the ſame yeare ſhall be put to ſale, ſhall be brought before the Wardens of the ſaid Craft, to one of the ſaid places ſo aſſigned, to the intent, that aſwell the Artificers of Worſteds, as the ſaid Wardens, may certainly know the place where the Worſteds may be duely ſearched. And if the ſaid Wardens find the ſaid worſteds by their ſearch well and lawfully made, then ſuch a marke or token ſhall be ſet by the ſaid Wardens, or one of them (without fine or fee) vpon the ſame, ſo that all buyers may well know which piece is ſufficiently and rightfully ſearched and wrought: And the ſaid ſearch ſhall aſwell extend to the ſtuffe, as to the ſufficient making. And ſuch as they ſhall find defectiue, the Maior of the ſaid Citie, and Steward of the Duchie, or one of them, by the aſſent of the ſaid Wardens, and twelue Artificers, ſhall haue power to ſet therein ſuch correction, as to them ſhall ſeeme reaſonable. And all Maiors, Shiriffes, Bailifes, and other Officers ſhall be aiding, attending, and ſupporting the ſaid Wardens in their ſearch, as often as they, or any of them ſhall be by the ſaid Wardens, or any of them reaſonably required. And Aũ 14. H. 8. 3. and 26. H. 8. 16. it was enacted, that the Crafts men called Worſted Weauers inhabited within the Towne of great Yarmouth, Yarmouth. in the Countie of Norfolke, ſhall haue authoritie to elect and chuſe yearely for euer, in the Munday next after the feaſt of Pentecoſt, one honeſt man of the ſame occupation, being an houſholder within the ſame Towne of great Yarmouth, and hauing of his proper goods and chattels to the value of x. pounds at the leaſt, or lands and tenements to his owne vſe of eſtate of freehold, to the cleere yearely value of xx. ſhillings at the leaſt, to be Warden of the ſame Craft and Myſterie for the yeare next following: which man ſo choſen, ſhall perſonally appeare before the Maior of the Citie of Norwich, the Munday next after the feaſt of Corpus Chriſti then next inſuing, then and there to be charged by like oath, concerning the true and ſubſtantiall making of the ſaid Clothes within the ſaid Towne of great Yarmouth, as the foure Wardens of the ſaid Citie of Norwich by vertue of the foreſaid Act of 7. Edw. 4. been charged and ſworne within the ſame Citie: And if the ſaid Maior be abſent the ſaid Munday, or refuſeth to take the ſaid oath, then the ſaid Warden ſo elect, ſhall within four dayes after the ſame Munday, come before the Bailifes of the ſaid Towne of great Yarmouth, or one of them, (the other being abſent) and receiue a corporall oath, for the true exerciſing of the ſame office of Wardenſhip, after the tenor of the oath vſed to be giuen to the ſaid Wardens of the Citie of Norwich. And the ſaid Warden ſo elect and ſworne, may appoint a Seale, with this letter Y. to be grauen in Y. the ſame Seale, and may haue authoritie to view, ſearch, ſeize, and ſeale in lead with the ſame Seale, and none other, all Worſteds, Sayes, and Stammins, within the ſaid Towne of great Yarmouth, and the Suburbes of the ſame to be

made, and not elswhere, in as large manner, as the ſaid Wardens of Norwich & Norfolke &c. by the ſaid Act made 7. Ed. 4. may doe &c. And by the ſaid Statute of 14. H. 8. it was further enacted, That when the towne of Linne in the County of Norfolke ſhall be inhabited with tenne ſundry houſholders or more houſholders exerciſing and vſing the ſaid craft of Worſted weauers: then and ſo long it ſhall be lawfull to the ſame inhabitants of Linne, yearely on the Munday next after the feaſt of Pentecoſt, to chooſe of themſelues one Warden of the ſame craft, which ſhall be of value in lands or goods, and ſhall be ſworne, and ſhall appoint a Seale with the letter L. and ſhall viewe, ſearch, ſeale, and ſeale within the towne of Linne and ſuburbes of the ſame, vt ſupra of Yarmouth. Prouided alwaies, that this Act ſhall not be preiudiciall to the Maior of Norwich, or to his ſucceſſors, or to the Wardens of the ſaid Citie or Countie, or to their ſucceſſors, in any point, article, or authoritie, other then for weauing, ſearching, and ſealing of Worſteds, Sayes, and Stammines made onely within the ſaid townes of Linne and Yarmouth, or the ſuburbes of the ſame, or to any of them: and for limitting of markes to the makers of Worſteds, Sayes, and Stammines onely inhabited with either of the ſaid townes or the ſuburbes thereof, and taking of Apprentices. But the ſaid Maior of the ſaid Citie, and Wardens of the ſaid Citie and Countie, and euery of them may haue and vſe all other articles, points, and authorities ſpecified in the foreſaid Act of 7. Ed. 4. as well for the ſearch, ſealing, correcting, and reformation of the ſaid Wardens newly to be elected by vertue of this Act, and euery of them, according and after ſuch forme as they may doe or vſe any of the ſaid Wardens of the ſaid Citie or Countie, by force of the ſaid Act, made 7. Ed. 4. as all and euery other inquiries, corrections, ſearchings, ſealings, and reformations to be had for the true making of Worſteds, Sayes, and Stammines, in, and vpon any perſon or perſons, as well within the ſaid townes of Linne and Yarmouth, as without, without let or veration of any of the inhabitants of the ſaid townes, in as large wiſe as they might haue done before the making of this act.

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No Worſted ſhall be drie-calendred.

2 No perſon or perſons ſhall take vpon him, or them, to dry-calender any Worſted within this Realme, vpon paine to forfeit for euery Worſted that is ſo dry-calendred, an hundred ſhillings. No perſon or perſons ſhall take vpon him or them to wet-calender any Worſteds, but onely ſuch perſons as haue béene bound apprentices to other perſons of the ſame occupation of wet-calendring of Worſted, by the ſpace of ſeauen yeares, or be cunning in the ſame, and their cunning approued and admitted by the Maior of Norwich, and the two Maſters of the ſaid Craft, yearely to be choſen within the ſaid Citie of Norwich, or in the Countie of Norfolke, of the Craft of wet-calendring, vpon paine of euerie ſuch perſon which ſhall doe the contrary, to forfeit for euery piece ſo calendred againſt the purueyances aforeſaid, 100. ſhillings to the King and to the Maſters of the ſaid occupation of wet-calendring for the time being. And it ſhall be lawfull to the Maſters of the ſaid occupation (for the time being) and their ſucceſſors, to ſue for the one moitie of all ſuch penalties forf. againſt euery ſuch perſon, as ſhall do contrary to the forme and effect of this Statute by A. of debt, B. P. J. &c. wherein no W. C. P. &c. 5. H. 8. 4. 25. H. 8. 5.

Who ſhal wet-calender Worſted.

None that dyeth worſteds ſhall calender them.

3 No perſon vſing the Myſtery of dying of Worſteds, Stammins, or Sayes, or any of them, neither by himſelfe, his Seruant, Factor, Deputie, or any other by his aſſignement, ſhall vſe to calender any Worſteds Stammines, or Sayes, or any other commodities made of Worſted yarne, during all ſuch time as he ſhall vſe the Myſteries of dying aforeſaid, vpon paine to forfeit for euery peece ſo dyed

and

and calendzed, by fraud, oz contrarie to the true meaning of this Act, xl. s. to be diuided into thzée equall parts, the one to the King, one other part to the Maioz of Nozwich, and the third part to him oz them that will sue foz the same by Action, Inſozmation, &c. wherein no Eſſoine, Pzotection, oz delay &c. 25. H. 8. 5.

No worſted tranſpozted before the same be shozne, died, & calendzed.

4 No person shall transpozt beyond the Sea any Clothes of Wozsted, befoze the same be shozne, died, coloured, and calendzed, vpon paine of fozfaiture of the value thereof to the King, and Inſozmer, to be recouered by A. J. &c. wherein no wager of Law, Eſſoine, Pzotection &c. 14. H. 8. 3. 26. H. 8. 16.

What worſteds may be transpozted, & what not.

5 The Marchants and wozkers of Clothes, called single Wozsted, may carrie boltes of single Wozsted to what parts they will (except to the Kings Enemies) paying the cuſtomes and subsidies thereof due, notwithstanding any statute, ozdinance, pzoclamation, inhibition, commaundements, oz charters, liberties, vſages, oz pziuiledges, graunted oz to be graunted to the Marchants of the Staple, oz to any other, made oz to be made to the contrarie. But vnder the colour of the said boltes of single Wozsted, they shall carrie no double Wozsteds, noz halfe double, noz Wozsteds Raye, noz Motley, vpon paine of fozfaiture of the same. 17. R. 2. 3.

Euery man shall put his marke to his worſted.

6 No man of the Craft of Wozsted weauers within the Citie of Nozwich, oz the County of Nozfolke, shall make any Wozsted, vnleſſe he put his pzoper marke fired oz wouen vpon the same, ozdained by the Wardens of the said myſterie, vpon paine to fozfait the same to the King, and foz euery peece of Wozsted sold, not marked after the fozme afozesaid, the first seller shall fozfait the pzice so by him sold, to the King. 7. Ed. 4. 2.

Who shall be Worſted weauers of great Yarmouth and Linne.

7 No person inhabited within either of the Townes of great Yarmouth oz Linne in the Countie of Nozfolke, oz the Suburbes thereof, shall weaue oz make any Wozsteds, Sayes, oz Stammins, within either of the same Townes, except he be an English man bozne, and haue béen Appzentice to the said occupation, and without he weaue therein such pzoper marke, as shall be appointed by the Warden of either of the said Townes, where he shall inhabit, foz the time being, elect and swozne, vpon paine of fozfaiture thereof to the King. And euery Warden of either of the said Townes shall limit distinct and seuerall markes to euery of the said Wozsted weauers of the same Townes of great Yarmouth and Linne, and the same Markes by the said Wardens shall be Regiſtred in a booke. And all Clothes of Wozsteds, Sayes, & Stammins, made within any of the said townes of Linne and great Yarmouth, oz the Suburbes of the same, oz any of them, and marked with such markes as shal be limitted to the makers by the said Wardens of the said Townes of Linne and Yarmouth, in maner and fozme afozesaid, and weaued and sealed by any of the Wardens of the said Townes, in fozme aboue remembzed, may be lawfully put to sale by the owners and makers of the same, wythout any other marking oz sealing vpon the said Clothes, oz vpon any of them, to be had oz made by any other Wardens dwelling without the said Towne, and wythout any arreſt, seisure, oz fozfaiture of the said Clothes, oz any of them, foz lacke of any other Seales, oz markes: Any thing contained in the said Statute made 7. Edw. 4. &c. notwithstanding. 14. Hen. 8. 3. 26. Hen. 8. 16.

The worſted of Linne and Yarmouth shal be died, shozne, and calendzed at Nozwich.

8 The crafts men of Wozsted Weauers inhabited within either of the said Townes of Linne and Yarmouth, oz suburbes of the same, and the Marchants, oz any other person oz persons which shall buy of any of the same crafts men, oz of any other person of any of the said Clothes of Wozsteds, Stammins, oz Sayes,

made within either of the ſaid Townes of Linne and Yarmouth, and ſealed by the Wardens of the ſame Townes, or any of them, ſhall not theare, dye, or put in colour, or calender any Worſteds, Stammins, or Sayes, made within either of the ſaid Townes of Linne and Yarmouth, or Suburbs of the ſame, in any other place, but only within the Citie of Norwich, or Suburbs of the ſame, vpon paine of forfeiture of euery piece of Worſteds, Sayes, or Stammins, to be made within any of the ſaid Townes of Linne and Yarmouth, or Suburbs of the ſame, or the value thereof ſhorne, dyed, coloured, or calendred by any of the ſaid crafts men, buyers, or Marchants, in any other place then in the ſaid Citie of Norwich, or Suburbs of the ſame: The one halfe thereof to the King, and the other halfe to ſuch perſon or perſons as ſhall ſeiſe the ſame: ſo that the ſaid Worſteds brought to the ſaid Citie of Norwich to be ſhorne, dyed, coloured, and calendred, without couyn or craft of any of the ſaid Inhabitants and Marchants, may be ſhorne, dyed, coloured, and calendred, at, and by as conuenient price, and in as readie wiſe, as the ſaid Inhabitants of Linne or Yarmouth, and Marchants buyers, or other of the ſaid Citie or Countie hath had in times paſt, or hereafter ſhall haue, and alſo that euery of them ſo bringing their ſaid Worſteds to the ſame Citie for to be ſhorne, dyed, coloured, and calendred, be reaſonably and lawfully intreated, according to the Statute made Añ 7. Ed 4. 14. H. 8. 3. 26. H. 8. 16.

The length and breadth of worſted and Motley.

9 Euery piece of Worſted ſhall be purſuing thorough the piece of lawfull making, good, and conuenient ſtuffe, and ſhall hold the length, and breadth, as the aſſiſe was wont to be of old time, rightfully accuſtomed, viz. Beds of the greateſt aſſiſe xiiij. yards largely in length, and three yards largely in breadth, And beds of the meane aſſiſe xy. yards in length, and three yards in breadth, And beds of the leaſt aſſiſe, ten yards in length, and two yards and a halfe in breadth: And clothes called Monkes clothes, xy. yards in length at the leaſt, and fiue quarters in breadth, And clothes called Chanon clothes, of the one aſſiſe vj. yards in length, and two yards in breadth, and of the other aſſiſe fiue yards in length, and ſeauen quarters in breadth: And double Motlies ſeauen yards in length, and fiue quarters in breadth, and ſingle Motlies vj. yards in length, and fiue quarters in breadth: And double Worſted x. yards in length, & fiue quarters in breadth, and the halfe double Worſted fiue yards in length, and fiue quarters in breadth: And the roll of Worſted xxx. yards in length, and halfe a yard in breadth, and no Lambes woll ſhall be put in any of the ſaid Worſteds. And the Wardens of the Craft of Worſted weauers of the Citie of Norwich, and Countie of Norfolke, and euery of them for the time being, haue power to ſeiſe all ſuch Clothes and ſtuffe being defective. And the Maior of Norwich, and Steward of the Duchie of Lancaſter, within the ſaid Countie of Norfolke, and euery of them, by vij. of the diſcreet Artificers of the ſaid Citie and County, haue power at all times to inquire, heare, and determine of all ſuch as doe againſt the ſaid ordinances within the ſaid Citie or Countie. 7. E. 4. 1.

1 Who may buy Worſted Yarne ſpun in Norwich, or in the Countie of Norfolke. S. Yarne 1.

2 Worſted Yarne ſpun in England, ſhall not be tranſported beyond the Seas. S. Yarne 2.

3 What Prentices Worſted makers dwelling in Linne, and great Yarmouth may take. S. Labourers 31.

Wrecke of the Sea.

Where a man, a dog, or a cat eſcape quick out of the ſhip, ſuch ſhip nor barge, nor any thing within them ſhall be adiudged wreck, but the goods ſhall be ſaued and kept by viewe of the ſhirifes, Coroner, or the kings Bailife, and deliuered into the hands of ſuch as are of the towne where the goods were found, ſo that if any ſue for thoſe goods, and after proue that they were his or his maſters, or periſhed in his keeping, within a yeare and a day, they ſhall be reſtored to him without delay, and if not, they ſhall remaine to the King, and be ſeiſed by the Shirifes, Coroners, and Bailifes of the Towne, which ſhall anſwere before the Juſtices, of the wrecke, belonging to the King. And where wrecke belongeth to another then to the king, he ſhall haue it in like maner and he that otherwiſe doth, and thereof is attainted, ſhall be awarded to priſon, and make fine at the Kings pleaſure, and ſhall yeeld damages alſo. And if a Bailife doe it and it be diſallowed by his Lord, and the Lord will not diſcharge him thereof, the Bailife ſhall anſwere, if he haue whereof, and if he hath not whereof, the Lord ſhall deliuer his Bailifes bodie to the King. Weſtminſt. 1. 3. Edw. 1. 4. *Which ſhall be ſaid ſhipwrack and which not.*

1 A Coroner ſhall enquire of the wrecke of the Sea, and the price thereof, and deliuer it to the townes to anſwere. S. Coroners 11.

2 The King by his Prerogatiue ſhall haue the wrecke of the Sea. S. Prerogatiue 12.

Yarne and Thrummes.

NO perſon ſhall buy, nor cauſe to be bought, within the Citie of Norwich or Countie of Norfolke, any yarne called Worſted yarne, the which ſhall be ſpunne within the ſaid Citie or Countie, but onely weauers, or other Artificers the which ſhall weaue, or otherwiſe worke, or cauſe to be wouen or wrought the ſaid yarne in the ſaid Citie of Norwich, or elſewhere within the ſaid Countie of Norfolke, vpon paine of forfaiture for euery pound weight of Worſted yarne ſo brought, & not wouen or wrought, as is aforeſaid 21. ſhillings to the King and J. that ſhall take the ſaid yarne or otherwiſe ſue for the ſame by B. P. J. or otherwiſe, wherein no W. E. P. &c. But it is lawfull to euery hatmaker, dwelling within the Citie of Norwich, to buy ſuch of the ſaid Worſted yarne, as is called and knowen by the name of middle Uſſe yarne, as they haue heretofore vſed to doe, ſo that the ſaid middle Uſſe yarne ſo bought be wrought in Hats, or imployed to hatmaking within the ſaid Citie. 33. Hen. 8. 16. 1. Edw. 6. 6. 5. Edw. 6. 7. *Who may buy worſted yarne in Norfolke or Norwich* *Middle Uſſe yarne.*

2 If any perſon doe ſhip or conuey, or cauſe to be ſhipped to conuey beyond the ſea, or elſe doe carie or cauſe to be caried beyond the Sea, any yarne called worſted yarne, and not wrought or made in cloth, ſo that ſuch yarne be ſpunne or made within England, then he ſhall forfaite for euery pound of worſted yarne ſo ſhipped, conueyed, or carried fortie ſhillings to the King and J. to be recouered by A. B. P. or otherwiſe, wherein no W. E. P. &c. 33. H. 8. 16. 1. Edw. 6. 6. 5. Ed. 6. 7. *No Worſted yarne ſhall be tranſported.*

3 Whoſoeuer doth carie or bring out of the Realme any Thrummes or wollen yarne, vnder the colour of Thrummes, ſhall forfaite the double value of the ſame. 8. H. 6. 23. *No Thrums ſhall be tranſported.*

4 No

None shal buy wollen yarne but to make cloth thereof.

4 **No man shall buy yarne of woll, called Wollen yarne, if he will not make cloth thereof, vpon paine to forfaite the same yarne, and foure fold damages, to haue two yeares imprysonment, and to make fine at the Kings pleasure.** 8.H.6.5.

1 No wollen Yarne shall be transported, but which is wrought within this Realme. S. Draperie 99.

2 None shall buy coloured Yarne, but in open market. S. Draperie 68.

3 The weauer shall put all the Yarne to the cloth, or restore it. S. Draperie 74.

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